

California Regional Water Quality Control Board  
Santa Ana Region

January 19, 2001

**ITEM:**

**SUBJECT:**

Waste Discharge Requirements for the Inland Empire Utilities Agency's Regional Plant No. 2 (Chino) - Municipal Wastewater Treatment Plant, San Bernardino County, Order No. 01-2, NPDES No. CA0105287.

**DISCUSSION:**

See Attached Fact Sheet

**RECOMMENDATION:**

Adopt Order No. 01-2, NPDES No. CA0105287, as presented.

Comments were solicited from the following agencies:

U.S. Environmental Protection Agency, Permits Issuance Section (WTR-5) - Terry Oda  
U.S. Army District, Los Angeles, Corps of Engineers, Regulatory Branch  
U.S. Fish and Wildlife Service - Carlsbad  
State Water Resources Control Board, Office of the Chief Counsel - Ted Cobb  
State Water Resources Control Board, Division of Water Quality - James Kassel  
State Water Resources Control Board, Division of Clean Water Programs – Lynn E. Johnson  
State Department of Water Resources - Glendale  
State Department of Fish and Game - Long Beach  
State Department of Health Services, San Bernardino – Kalyanpur Baliga  
State Department of Health Services, Carpinteria – Jeff Stone  
Orange County Water District - Nira Yamachika  
San Bernardino County Department of Public Works, Environmental Management Division –  
Jim Borcuk  
San Bernardino County Environmental Health Services - Scott Maass  
Riverside Regional Water Quality Control Plant - Gail McPherson  
City of Chino - City Manager  
City of Chino - Brett Hulstrom  
City of Chino Hills - City Manager  
Santa Ana River Discharger's Association  
Santa Ana Watershed Project Authority – Joseph Grindstaff  
Orange County Coastkeeper  
Lawyers for Clean Water C/c San Francisco Baykeeper

California Regional Water Quality Control Board  
Santa Ana Region  
3737 Main Street, Suite 500  
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**FACT SHEET**

January 19, 2001

The attached pages contain information concerning revised waste discharge requirements and a National Pollutant Discharge Elimination System (NPDES) permit.

**I. FACILITY DESCRIPTION:**

The Inland Empire Utilities Agency (IEUA) operates Regional Plant No. 2 (RP-2). RP-2 is a municipal wastewater treatment plant located on the northwest corner of El Prado Road and Pine Avenue, at 16400 El Prado Road in the Chino area of San Bernardino County (shown in Attachment "A" of this fact sheet).

The treatment capacity of the facility is 6.7 million gallons per day (mgd). RP-2 currently discharges 4.8 mgd of tertiary treated wastewater to Reach 1 of Chino Creek. Chino Creek is tributary to Reach 3 of the Santa Ana River.

The discharge from the facility is currently regulated by Order No. 95-48, NPDES No. CA0105287. This Order expired on July 1, 2000. On December 3, 1999, the discharger submitted a complete application for the renewal of the NPDES permit.

RP-2 receives and treats domestic and commercial/industrial wastes generated within the Cities of Chino, and Chino Hills. The annual average daily flow into the plant is 4.8 mgd with the highest monthly average value of 5.6 mgd. The treatment process consists of bar screening, grit removal, primary clarification and flow equalization, activated sludge process, secondary clarification, flocculation, filtration, chlorination and dechlorination. Solids treatment includes gravity thickeners and dissolved air flotation thickeners, anaerobic digestion, digester gas utilization, and belt press dewatering. Solids from the Carbon Canyon Water Reclamation Facility (CCWRF) are also processed at the plant while the belt press filtrate is pumped backed to the CCWRF. A schematic diagram of the treatment process is attached to this Fact Sheet (Attachment "B").

**II. REGULATORY BASIS FOR WASTE DISCHARGE REQUIREMENTS:**

This Order includes requirements that implement the Water Quality Control Plan (Basin Plan), which was adopted by the Regional Board on March 11, 1994. The Basin Plan was approved by the Office of Administrative Law and became effective on January 24, 1995. This Plan specifies water quality objectives and beneficial uses for the waters of the Santa Ana Region. These include wasteload allocations for total dissolved solids (TDS) and total inorganic nitrogen<sup>1</sup> (TIN) for the upper Santa Ana River dischargers, including RP-2. These allocations were established to assure compliance with the TDS and TIN objectives for the River and to protect underlying

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<sup>1</sup>

*Total Inorganic Nitrogen (TIN) is the sum of the nitrate-N, nitrite-N and ammonia-N.*

groundwater. The TDS and TIN limits specified in this Order are based on the wasteload allocations.

Tertiary treated wastewater from the facility is discharged to Chino Creek, Reach 1, a tributary of the Santa Ana River, Reach 3. The beneficial uses of Reach 1 of Chino Creek and Reach 3 of the Santa Ana River include agricultural supply, groundwater recharge, water contact recreation, non-contact water recreation, warm freshwater habitat, wildlife habitat and rare, threatened or endangered species. The discharge points overlie the Chino III Groundwater Subbasin, the beneficial uses of which include municipal and domestic supply, agricultural supply, industrial service supply, and industrial process supply. Receiving waters that may be affected by the discharge include the downgradient groundwater subbasins in Orange County, which are used for municipal and domestic supply and other uses.

Article 5, Section 60315 of Title 22, Chapter 3, "Reclamation Criteria" of the California Code of Regulations specifies that reclaimed water used as a source of supply in a nonrestricted recreational impoundment shall be at all times an adequately disinfected, oxidized, coagulated, clarified, filtered wastewater (tertiary treated). The degree of treatment specified represents an approximately 5-log reduction in the virus content of the water. The State Department of Health Services has determined that this degree of virus removal is necessary to protect the health of people using these impoundments for water contact recreation. The Department of Health Services has developed wastewater disinfection guidelines ("Wastewater Disinfection for Health Protection", Department of Health Services, Sanitary Engineering Branch, February 1987) for discharges of wastewater to surface waters where water contact recreation (REC-1) is a beneficial use. The disinfection guidelines recommend the same treatment requirements for wastewater discharges to REC-1 waters as those stipulated in Title 22 for supply of reclaimed water to nonrestricted recreational impoundments, since the public health risks under both scenarios are analogous. The disinfection guidelines are based on sound science and are widely used as guidance to assure public health and beneficial use protection.

Santa Ana River, Reach 3 is not a "nonrestricted recreational impoundment," nor is "reclaimed water<sup>2</sup>" being used as a supply source for the River pursuant to the definitions in Title 22. However, except during major storms, most of the flow in the River is composed of treated municipal wastewater discharges. The River is used for water contact recreation and, accordingly, is designated REC-1 (water contact beneficial use). People recreating in the River face an exposure similar to those coming in contact with reclaimed water in an impoundment. Therefore, to protect the water contact recreation beneficial use and to prevent nuisance and health risk, it is necessary and appropriate to require the same degree of treatment for wastewater discharges to the River as would be required for the use of reclaimed water in a nonrestricted recreational impoundment. Thus, this Order specifies requirements based on tertiary or equivalent treatment.

<sup>2</sup>

*As defined in the Reclamation Criteria, reclaimed water means water which, as a result of treatment of domestic wastewater, is suitable for a direct beneficial use or a controlled use that would not otherwise occur.*

Under dry weather conditions, most of the flow in Chino Creek, Reach 1 and Santa Ana River, Reach 3, consists of reclaimed water. To protect the water contact recreation beneficial use and public health, the Department of Health Services has determined that all wastewater discharged to areas where water contact recreation may occur be disinfected, oxidized, coagulated, clarified, and filtered (tertiary treated treatment) or equivalent. However, the Department of Health Services has also determined that when there is sufficient natural flow (due to precipitation and/or rising groundwater) in the receiving water, a discharge of secondary treated and disinfected effluent may be permitted. To provide the necessary level of protection, the State Department of Health Services recommends a dilution of 20:1 (natural flow<sup>3</sup>:secondary treated and disinfected effluent) ("Wastewater Disinfection for Health Protection", Department of Health Services, Sanitary Engineering Branch, February 1987). The proposed permit implements these public health protection guidelines.

Inland Empire Utilities Agency's (IEUA) service area covers a significant portion of the area involved in the Chino Basin Adjudication. The Chino Basin Watermaster (Watermaster ) administers the adjudication. The Watermaster adopted an Optimum Basin Management Program (OBMP) for the Chino Basin. The OBMP was developed in response to direction from the court that oversees the Chino Basin Adjudication. As part of the OBMP process, the court<sup>4</sup> directed the Watermaster to consider and address water quality issues. The OBMP also establishes a framework for pumping and recharge strategies, and other water resource management projects that may be proposed within the Basin. These water resource management activities will affect the amount of rising groundwater that enters the Santa Ana River from the Chino Basin. Since this rising groundwater is very poor quality (high in both salts (TDS) and nitrogen (nitrates)), the Watermaster's decisions clearly have the potential to significantly effect the water quality of both the Santa Ana River and the Orange County groundwater basin, which is recharged to a significant degree by the River.

A program EIR for the OBMP was certified in July 2000 by IEUA.

If there are unmitigated increases in the amount of poor quality rising groundwater that enters the Santa Ana River, then the TDS and TIN wasteload allocations will have to be reconsidered. It is likely that significantly more stringent TDS and TIN allocations would be required to assure compliance with water quality objectives. These more stringent wasteload allocations would be implemented via more stringent effluent limitations specified in waste discharge requirements issued to IEUA.

Concurrent with the OBMP process, a consortium of agencies known as the Nitrogen/TDS Task Force (including water supply and wastewater management agencies, Santa Ana Watershed Project Authority, and the Regional Board) is conducting a watershed-wide study of TDS and total inorganic nitrogen (TIN). The Task Force has evaluated historic and current ambient water quality throughout the Santa Ana River watershed, including the Chino Basin. The Task Force

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<sup>3</sup> *Natural flow excludes discharges to surface waters from upstream publicly owned treatment works.*

<sup>4</sup> *The court is also providing oversight to insure that the Watermaster complies with that direction.*

consultants have developed recommendations for revised groundwater basin boundaries and revised water quality objectives. During the year 2001, the Regional Board expects to consider one or more Basin Plan amendments to incorporate these revised objectives and groundwater management zone boundaries for the Chino Basin and the entire watershed.

Comparison of current groundwater quality data from within the Chino Basin indicates that there is no assimilative capacity for salts and nitrogen within most or all of the Chino Basin (i.e., current groundwater quality is at or poorer than the recommended water quality objectives). Pursuant to the California Water Code and guidance provided by the State Water Resources Control Board, discharges to waters without assimilative capacity must be limited to the water quality objectives. If revised water quality objectives are incorporated in the Basin Plan (as Board staff recommends), then waste discharges within the Chino Basin would be required to comply with the new objectives. The objectives recommended for the groundwater management zones proposed for the Chino Basin would generally result in the imposition of more stringent effluent limitations for discharges affecting these zones.

It may be difficult to achieve compliance with the more stringent effluent limitations, particularly for TDS, that are likely to be required in response to revised wasteload allocations and/or revised groundwater basin boundaries and water quality objectives. Where strict adherence to numeric effluent limitations is infeasible, it may be possible to achieve compliance by the implementation of an appropriate offset program. The offset program must be designed to ensure that there are no net increases in TDS and nitrogen discharges beyond those allowed by the effluent limits, and thereby, to ensure the protection of Santa Ana River water quality objectives and beneficial uses and other affected receiving waters (e.g. Orange County groundwater basin).

This Order contains re-opener clauses to allow the Regional Board to consider revision of portions of the Order in response to any new water quality objectives and basin boundaries that might be adopted by the Board. In the event that providing engineering alternatives would be more efficient than limiting the TDS or nitrogen concentrations in the IEUA effluent, the Board will consider offsets at locations that produce the comparable results of protecting water quality in the Santa Ana River and the Orange County groundwater basin and protecting downstream beneficial uses.

The proposed Order specifies numeric and narrative limits for the control of toxic substances. These limits are based on the following:

1. 1995 Basin Plan
2. Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California adopted on March 2, 2000 by the State Water Resources Control Board (hereinafter, "Policy")
3. Code of Federal Regulations (40 CFR Parts 122-503)
4. U.S. EPA, Quality Criteria for Water (1986)
5. National Toxics Rule (Federal Register, vol. 57, No. 256, Dec. 22, 1992, 60848-60922)
6. U.S. EPA, Office of Water Policy and Technical Guidance on Interpretation of Aquatic Life Metals Criteria (October 1, 1993)

7. Technical Support Document for Water Quality-based Toxics Control (EPA/505/2-90-001, March 1991)
8. Water Quality Standards; Establishment of Numeric Criteria for Priority Toxic Pollutants for the State of California, promulgated in May 18, 2000 by the U.S. EPA.
9. Santa Ana River Use-Attainability Analysis, Volume 10, Calculation of Total-to-Dissolved Metal Ratios to Translate Site-Specific Water Quality Objectives into NPDES Effluent Limits", Risk Sciences (May, 1994).

This Order implements federal regulations specified in 40 CFR 122, 123, 124, 125, 129 and 501, which pertain to all publicly-owned treatment works (POTW) with average design flows exceeding 1 mgd.

This Order contains requirements for the implementation of an effective pretreatment program pursuant to Section 307 of the Federal Clean Water Act Parts 35 and 403 of Title 40, Code of Federal Regulations (40 CFR 35 and 40 CFR 403) and Section 2233, Title 23, California Code of Regulations.

The State Water Resources Control Board adopted the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (Policy) on March 2, 2000. This Policy establishes implementation provisions for priority pollutant criteria promulgated by the U.S. Environmental Protection Agency (U.S. EPA) through the National Toxics Rule (NTR) (promulgated on December 22, 1992 and amended on May 4, 1995) and through the California Toxics Rule (CTR) (promulgated in April 2000).

In accordance with Section 402 (p) of the Federal Clean Water Act, EPA published the final regulations for storm water runoff on November 16, 1990 (40 CFR Parts 122, 123 and 124). Industrial facilities, including POTW sites, are required to obtain NPDES Permits for storm water discharges. On April 17, 1997, the State Board adopted a General Industrial Storm Water Permit, Order No. 97-03-DWQ, NPDES No. CAS000001. Order No. 01-2 includes pertinent provisions of the General Industrial Storm Water Permit appropriate for this discharge.

### **III. PROPOSED EFFLUENT LIMITATIONS:**

The limitations in this Order are intended to control pollutants in the waste discharge, maintain water quality, and protect the beneficial uses of the affected receiving waters. Revisions to water quality objectives or to beneficial uses designated in the Basin Plan may occur in the course of periodic review and update of the Plan. These waste discharge requirements will be re-evaluated and may be revised to accommodate any of these changes.

In determining compliance with the effluent limitations in this Order, no mixing zone allowance is provided. No mixing zone allowance is proposed since there are essentially no natural receiving waters at the points of discharge.

A. Biological/ Mineral limitations

1. Biochemical Oxygen Demand (BOD), Suspended Solids, and Total Dissolved Solids (TDS)

The proposed Biochemical Oxygen Demand (BOD) and suspended solids limits are based on values that are achievable with tertiary treatment. These limits are intended to ensure that only adequately oxidized wastewater is discharged.

The proposed total dissolved solids (TDS) limitation is based on the quality of water supplied to the service area plus a reasonable use increment and/or the wasteload allocation for the discharger. The more restrictive of the two TDS limits applies.

2. Total Inorganic Nitrogen (Nitrate, Nitrite, Ammonia)

High concentrations of nitrates in domestic water can be toxic to human life. To protect human health, the concentrations of nitrates in lakes, streams, and ground water shall not exceed 45 milligrams per liter (mg/l) (as NO<sub>3</sub>) or 10 mg/l (as N) as a result of controllable water quality factors.

Un-ionized ammonia exists in equilibrium with ammonium (NH<sub>4</sub><sup>+</sup>) and hydroxide (OH<sup>-</sup>) ions. The concentrations of ammonium and hydroxide ions change with temperature, pH and salinity of the water.

On November 15, 1991, the Regional Board adopted a revised wasteload allocation for total inorganic nitrogen in Publicly Owned Treatment Works (POTW) discharges to the Santa Ana River and its tributaries and to groundwater in the Upper Santa Ana River Basin. In accordance with the revised wasteload allocation, the proposed Order specifies a limit of 13.0 mg/l for flows up to 6.7 million gallons per day (mgd); for flows in excess of 6.7 mgd, the TIN limit is 10 mg/l.

In accordance with the Basin Plan, this Order specifies an effluent limitation of 4.5 mg/l for total ammonia-nitrogen.

B. Inorganic Salts

Certain inorganic chemical constituents may interfere with the beneficial uses of waters. In the Santa Ana River Basin, water is sometimes used as many as three times before ultimately being discharged to the ocean, and each cycle of use or reuse adds some increment of salts to the water. In order to protect the Basin waters for their beneficial uses, the Regional Board has determined that those inorganic chemical constituents in wastewaters which may adversely affect subsequent uses of those waters should be controlled. The constituents normally controlled and the beneficial uses that may be affected are described below.

## Boron

Boron is not considered a problem in drinking water supplies until concentrations of 20-30 mg/l are reached. In irrigation, boron is an essential element. However, concentrations of boron in excess of 0.75 mg/l may be deleterious to certain crops. The maximum safe concentration of even the most tolerant plants is about 4.0 mg/l of boron.

## Chloride

Excess chloride concentrations lead primarily to economic damage rather than public health hazards. Because excess chlorides will affect the taste of potable water, drinking water standards are generally based on potability standards rather than on health. Chlorides are considered to be among the most troublesome anions in water used for industrial or irrigation purposes. Chlorides significantly affect the rate of corrosion of steel and aluminum and are generally more toxic to plants than sulfates. A safe value for irrigation is considered to be less than 150 mg/l of chloride.

## Fluoride

Fluoride in water supply used for industrial or irrigation purposes has limited detrimental effects. Fluoride in optimum concentrations in water supply (concentration dependent upon the mean annual air temperature) is considered beneficial for the teeth of the children, but concentrations above approximately 1 mg/l, or its equivalent, at a given temperature, are considered likely to increase the risk of occurrence of objectionable dental fluorosis.

## Sodium

The presence of sodium in drinking water may be harmful to persons suffering from cardiac, renal, and circulatory diseases. It can contribute to tastes and with the taste threshold depending on the sodium salt involved. Sodium in excess concentrations in irrigation water reduces soil permeability to water and air and increases its solution pH. The deterioration of soil quality because of the presence of sodium in the irrigation water is a steadily cumulative process, and one that is accelerated by poor drainage.

## Sulfate

Excessive sulfates in potable waters can lead to laxative effects, but this effect is usually temporary. It is of particular concern when sulfate is present in the form of magnesium sulfate. There is some taste effect from magnesium sulfate in the range of 400-600 mg/l as  $\text{MgSO}_4$ . Sulfate concentrations in waters native to this region are normally low, less than 40 mg/l, but imported Colorado River water contains approximately 300 mg/l of sulfate.



### Total Dissolved Solids

The Department of Health Services recommends that the concentration of total dissolved solids in drinking water be limited to 500 mg/l (secondary drinking water standards). At present, no limitation is attributable to public health problems other than taste. For irrigation uses, suitable water under most conditions should have a total dissolved solids concentration under 700 mg/l. Quality-related consumer cost analyses in the basin planning program indicated that a benefit exists at or below 500 mg/l.

### Total Hardness (as CaCO<sub>3</sub>)

The major detrimental effect of hardness is economic. Any concentration over 100 mg/l results in a waste of soaps and the encrustation of utensils in domestic uses. Hardness in industrial cooling waters is generally objectionable above 50 mg/l.

## C. Trace Constituent Limitations

The U.S. EPA has identified 126 priority pollutants, including metals and organic chemicals. For certain of these trace constituents, numeric limitations for the protection of aquatic life and public health are specified in this Order. For discharges to Santa Ana River, Reach 3, the numeric limitations for trace constituents are based on the U.S. EPA's California Toxics Rule. In some cases, these criteria are equations in which hardness is the variable. The actual numeric value of the criterion is calculated using hardness measurements. Use of a fixed hardness value results in a fixed numerical effluent limit for each metal, thereby simplifying the effluent limitation and facilitating the determination of compliance.

Federal regulations require that the effluent limits for metals be expressed as the total recoverable form. To comply with this requirement, the dissolved criteria are translated into total recoverable effluent limits using ratios of the total recoverable metals to dissolved metals (t/d) concentrations. The State Water Resources Control Boards's Policy stipulates that in the absence of site-specific information, the conversion factors cited in the CTR should be used as the t/d translators. A site-specific translator for Cd, Cu and Pb, was developed in a study and reported in the "Santa Ana River Use-Attainability Analysis, Volume 10, Calculation of Total-to-Dissolved Metal Ratios to Translate Site-Specific Water Quality Objectives into NPDES Effluent Limits", Risk Sciences (March, 1994).

No numeric limitations are specified for those priority pollutants where there was no demonstrated reasonable potential to cause a water quality objective to be exceeded. To determine reasonable potential for pollutants to exceed water quality objectives, Board staff used the procedures outlined in the State Board's Policy. The maximum effluent concentrations for individual constituents that were detected in the effluent were compared to the criteria values specified in the California Toxics Rule. If the detected concentrations were less than the criteria, it was concluded that the effluent posed no reasonable potential to exceed water quality objectives for that constituent. In situations where the criteria value and all available effluent and receiving water data were below detection limits, staff was unable to determine if there was a reasonable potential to cause a water quality objective to be exceeded, due to unavailable and/or insufficient data. Therefore, effluent limits for

those constituents also were not included in this Order. Only Lindane (hexachlorocyclohexane – gamma) showed a conclusive reasonable potential to exceed water quality objectives.

The discharger has the capability of diverting flows to Regional Plant No. 2 from either Carbon Canyon Water Reclamation Plant or Regional Plant No. 1. These influent flows are suspected of having concentrations of the constituent bis (2-ethylhexyl) phthalate at levels that exceed the CTR objective. However, current monitoring data do not indicate the presence of bis (2-ethylhexyl) phthalate in the effluent of Regional Plant No. 2. The discharger also has recently conducted studies to determine possible sources of the contaminant. These studies indicate that the previously submitted effluent monitoring data at Carbon Canyon Water Reclamation Plant and Regional Plant No. 1 for bis (2-ethylhexyl) phthalate, may be suspect due to sample contamination during sampling and testing resulting from the use of plastic bottles and tubing (bis (2-ethylhexyl) phthalate is widely used in such materials). Based on this new information, staff believes that there is not sufficient data to make a determination that there is reasonable potential for the discharger to cause or contribute to an exceedance of the bis (2-ethylhexyl) phthalate objective in the receiving water. Therefore in accordance with Section 2.2.2.A. of the Policy, no limit for bis (2-ethylhexyl) phthalate is included in the Order. Rather, the Order includes an interim requirement for the discharger to conduct a controlled and intensive one-year monitoring program of the effluent for bis (2-ethylhexyl) phthalate using methods and equipment that would prevent sample contamination, produce a reliable test result and use a test detection level acceptable to the Regional Board. Should monitoring data show a reasonable potential for the constituent to exceed criteria values, this Order includes a reopener provision that allows the Regional Board to reopen the Order and include a limit for bis (2-ethylhexyl) phthalate.

For those constituents that were previously limited in Order No. 95-48 and were not detected, the effluent limits were dropped because reasonable potential could not be demonstrated. However, the discharger is required to monitor for these pollutants on a monthly basis at detection levels that are specified in the Policy. If warranted by the results of this monitoring, this Order will be reopened to incorporate appropriate effluent limits.

The calculations for arriving at the effluent limits for Lindane are in the Regional Board's file for the IEUA RP-2.

Although limits for most of the priority pollutants are not included in this Order, the discharger is required to routinely monitor the effluent for all priority pollutants. If warranted by the results of this monitoring, this Order will be reopened to incorporate appropriate effluent limits.

D. Toxicity Limitations

This Order requires the discharger to conduct chronic<sup>5</sup> toxicity testing of the effluent on a monthly basis. The Order also requires the discharger to conduct an Initial Investigation Toxicity Reduction Evaluation (IITRE<sup>6</sup>) program when either the two month median of toxicity test results exceeds 1 TUc or any single test exceeds 1.7 TUc. Based on the results of this investigation program and at the discretion of the Executive Officer, a Toxicity Identification Evaluation (TIE) may be required. A re-opener provision is included in the Order to incorporate a chronic toxicity effluent limitation if warranted by the toxicity test results.

E. Compliance

Many of the objectives specified in the California Toxics Rule, and the effluent limits that implement them, are at extremely low concentrations. In several cases, these concentrations are below current laboratory detection values. As such, it is necessary to require laboratory analyses to be performed to the lowest possible concentrations. The Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (Policy) includes a list of priority pollutants with their respective Minimum Levels (ML)<sup>7</sup> on which “reported Minimum Levels” (i.e., quantitation values for the sample) shall be based. The Policy recognizes that the “reported ML” may be orders of magnitude different than the listed MLs depending on the amount of dilution/concentration required for sample preparation, and the amount of dilution necessary to address matrix interferences. Unfortunately, the policy lacks guidance for the development of appropriate “reported MLs”.

For the last several permit cycles, the Regional Board has required discharges to meet practical quantitation levels (PQLs<sup>8</sup>). The PQLs for wastewater were developed based on the following:

1. A survey of laboratories in the Southern California area and a review of method detection levels (MDLs) in accordance with 40 CFR 136 for a wastewater matrix reported by local laboratories;

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<sup>5</sup> The chronic test method for water flea “*Ceriodaphnia dubia*” also measures acute toxicity.

<sup>6</sup> An IITRE is the initial stage conducted prior to implementing a full blown toxicity reduction evaluation (TRE) study. A TRE is a stepwise process for identifying the agent(s) and/or source(s) of toxicity in a given effluent. The discharger is required to develop IITRE workplan for conducting the TRE. Where available, the U.S. EPA guidelines for conducting TREs shall be utilized in the development of the plan.

<sup>7</sup> Minimum Level is the concentration at which the entire analytical system must give a recognizable signal and acceptable calibration point. The ML is the concentration in a sample that is equivalent to the concentration of the lowest calibration standard analyzed by a specific analytical procedure, assuming that all the method specified sample weights, volumes, and processing steps have been followed.

<sup>8</sup> PQL is the lowest concentration of a substance that can be determined within  $\pm 20$  percent of the true concentration by 75 percent of the analytical laboratories tested in a performance evaluation study. Alternatively, if performance data are not available, the PQL is the method detection limit (MDL)  $\times 5$  for carcinogens and MDL  $\times 10$  for noncarcinogens.

2. The consensus PQLs determined during the meeting of major Southern California laboratories with the Regional Board staff on January 28, 1992. The consensus PQLs are believed to represent the lowest quantitation levels that can be achieved by most laboratories in Southern California based on proven laboratory performance and the reasonable application of best available analytical technology for most toxic substances;
3. The report "A Study To Determine The Practical Quantitation Levels (PQL) For Selected Water Chemistry Parameters Analyzed by Commercial Laboratories Operating In The Santa Ana River Watershed" (Risk Sciences, 1993). This report recommended PQLs for cadmium, copper, lead, selenium, and silver that better represented the actual PQLs attained by analytical laboratories performing analyses for these substances in a recycled water matrix.

Order No. 01-2 sets the PQLs listed in Attachment "A" of the monitoring and reporting program as the "reported MLs" for those constituents listed, until July 1, 2001. Order No. 01-2 requires that by July 1, 2001, the discharger shall meet the quantitation levels specified in Attachment "B" of the Monitoring and Reporting Program No. 01-2, unless an alternative minimum level is approved by the Regional Board's Executive Officer. The Executive Officer is authorized to extend this schedule provided that the discharger demonstrates good cause and that the extension is as short as possible.

In cases where the discharger believes that the sample matrix justifies a different "reported ML", the discharger is required to demonstrate to the satisfaction of the Regional Board's Executive Officer the appropriateness of the alternative "reported ML" for that sample matrix prior to July 1, 2001.

All analytical data are required to be submitted with the corresponding MDLs and MLs. Sample results shall be reported as "DNQ" (Detected, but Not Quantified) if the results are less than the reported ML, but greater than the MDL. Sample results shall be reported as "ND" (Not Detected) if the results are less than the MDL.

Dischargers shall be deemed out of compliance with an effluent concentration limit if the concentration of the effluent sample is greater than the effluent limit and greater than or equal to the "reported ML". Dischargers shall not be deemed out of compliance for any sample result reported as DNQ or ND. However, the discharger is required to conduct a Pollutant Minimization Program, as described in the Policy, if there is an indication that a constituent is present in the effluent above an effluent limitation and either:

- a. A sample result is reported as DNQ and the effluent limitation is less than the "reported ML", or
- b. A sample result is reported as ND and the effluent limitation is less than the MDL.

**IV. ANTIDEGRADATION ANALYSIS:**

The Regional Board has considered antidegradation pursuant to 40 CFR 131.12 and State Board Resolution No. 68-16. The water quality of the receiving waters is not expected to degrade as a result of this discharge. Neither the volume of the discharge nor the mass loading of pollutants associated with the discharge will adversely impact the receiving waters. Therefore, this discharge is consistent with federal and state antidegradation policies.

**V. WRITTEN COMMENTS:**

Interested persons are invited to submit written comments on the proposed discharge limits and the Fact Sheet. Comments should be submitted by December 29, 2000, either in person or by mail to:

Jun Martirez  
California Regional Water Quality Control Board  
Santa Ana Region  
3737 Main street, Suite 500  
Riverside, CA 92501-3348

**VI. INFORMATION AND COPYING:**

Persons wishing further information may write to the above address or call Jun Martirez of the Regional Board at (909) 782-3258. Copies of the application, proposed waste discharge requirements, Fact Sheet, and other documents (other than those which the Executive Officer maintains as confidential) are available at the Regional Board office for inspection and copying between the hours of 8:00 a.m. and 4:00 p.m., Monday through Thursday (excluding holidays).

**VII. REGISTER OF INTERESTED PERSONS:**

Any person interested in a particular application or group of applications may leave his name, address, and phone number as part of the file for an application.

**VIII. PUBLIC HEARING:**

The Regional Board will hold a public hearing regarding the proposed waste discharge requirements as follows:

**DATE:** January 19, 2001  
**TIME:** 9:00 a.m.  
**PLACE:** City Council Chambers of Loma Linda  
25541 Barton Road  
Loma Linda, California

## **Location Map**

# Schematic of Treatment Plant Wastewater Flow

**California Regional Water Quality Control Board  
Santa Ana Region**

**ORDER No. 01-2**  
**NPDES NO. CA0105287**

**Waste Discharge Requirements  
for the  
Inland Empire Utilities Agency  
Regional Plant No. 2  
San Bernardino County**



California Regional Water Quality Control Board  
Santa Ana Region

ORDER No. 01-2  
NPDES NO. CA0105287

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California Regional Water Quality Control Board  
Santa Ana Region

ORDER No. 01-2

NPDES NO. CA0105287

Waste Discharge Requirements  
for the  
Inland Empire Utilities Agency  
Regional Plant No. 2 (Chino)  
San Bernardino County

The California Regional Water Quality Control Board, Santa Ana Region (hereinafter Regional Board), finds that:

1. The Inland Empire Utilities Agency (hereinafter IEUA or discharger) presently operates Regional Plant No. 2 (RP-2), a municipal wastewater treatment plant. The discharge from this facility is currently regulated by Order No. 95-48, NPDES No. CA0105287. This Order expired on July 1, 2000.
2. RP-2 is located in a portion of Section 36, T2S, R8W, SBB&M, in the Chino area of San Bernardino County.
3. RP-2 receives and treats domestic and commercial/industrial wastewaters from the Cities of Chino and Chino Hills.
4. The discharger has contractual agreements with the Cities of Chino and Chino Hills. The discharger is required where appropriate to renew/update its contractual agreements with these agencies, giving the discharger the authority to implement and enforce the pretreatment program within the service areas if the Cities fail to properly implement their approved programs.
5. The wastewater treatment process consists of the following:

INLAND EMPIRE UTILITIES AGENCY REGIONAL PLANT NO. 2			
Primary Treatment	Secondary Treatment	Tertiary Treatment	Solids Handling
Bar Screens Aerated Grit Chamber Primary Clarifier Flow Equalization.	Activated Sludge Aeration Basins Secondary Clarifier.	Flocculation and Settling Basins Filtration Chlorination and Dechlorination.	Dissolved Air Flotation Gravity Thickeners Anaerobic Digestion Digester Gas Utilization Facility Belt Press Dewatering.

6. RP-2 was originally designed to treat and discharge 6.7 million gallons per day (mgd) of tertiary treated wastewater, however, recent stress-testing of RP-2 has determined the current capacity to be at 5.0 mgd. The annual average discharge from the plant is approximately 4.8 mgd. Approximately 2 mgd of raw sewage can be diverted to the Santa Ana Watershed Project Authority's (SAWPA) Santa Ana Regional Interceptor (SARI) line. Wastes discharged to the SARI line are treated at the Orange County Sanitation District's sewage treatment plant.
7. The treated effluent from RP-2 is discharged to Chino Creek at latitude 33°56'10" and longitude 117°39'47" (designated Serial No. 001). Chino Creek is tributary to the Santa Ana River, Reach 3.
8. A revised Water Quality Control Plan (Basin Plan) became effective on January 24, 1995. The Basin Plan contains beneficial uses and water quality objectives for waters in the Santa Ana Region.
9. The requirements contained in this Order are necessary to implement the Basin Plan.
10. The beneficial uses of Chino Creek, Reach 1 include:
  - a. Water contact recreation,
  - b. Non-contact water recreation,
  - c. Warm freshwater habitat,
  - d. Wildlife habitat, and
  - e. Rare, threatened and endangered species.
11. The beneficial uses of the Santa Ana River, Reach 3 include:
  - a. Agricultural supply,
  - b. Groundwater recharge,
  - c. Water contact recreation,
  - d. Non-contact water recreation,
  - e. Warm freshwater habitat,
  - f. Wildlife habitat, and
  - g. Rare, threatened or endangered species.
12. The discharge point overlies the Chino III Groundwater Subbasin, the beneficial uses of which include:
  - a. Municipal and domestic supply,
  - b. Agricultural supply,
  - c. Industrial process supply, and
  - d. Industrial service supply.
13. It is appropriate and necessary to control and limit the concentrations of individual mineral constituents that may be discharged from RP-2.

14. As required by the Clean Water Act and regulations adopted thereunder, the chemical specific limitations contained in this Order are designed to prevent a violation of any applicable water quality standard for receiving waters adopted by the Regional Board, the State Board or US EPA. If more stringent applicable water quality standards are approved pursuant to Section 303 of the Clean Water Act, or amendments thereto, the Regional Board will revise and modify this Order in accordance with such more stringent standards.
15. The limits contained in this Order for average concentrations of total dissolved solids are those that the discharger may reasonably be expected to achieve using reasonable methods such as, but not limited to, a source control program and the control of water supply sources.
16. The 1995 Basin Plan includes wasteload allocations for total inorganic nitrogen (TIN) discharges from the treatment plants operated by the discharger, which include Regional Plant No. 1 (RP-1), Regional Plant No. 4 (RP-4), the Carbon Canyon Water Reclamation Facility (CCWRF), and RP-2. In conformance with the nitrogen wasteload allocation specified in the 1995 Basin Plan, this Order specifies a limit for RP-2 of 13 mg/l total inorganic nitrogen (TIN) for discharges up to 5 mgd; for discharges in excess of 5 mgd, the limit is 10 mg/l. RP-1, RP-4 and CCWRF discharge to Chino Creek and thence to Santa Ana River, Reach 3. Thus, the receiving waters affected by these discharges are essentially the same as those affected by the RP-2 discharge. This Order allows the discharger to offset nitrogen discharges in excess of TIN limits specified herein, provided that an equivalent amount of TIN is removed at RP-1, RP-4, and/or CCWRF. The discharger is required to demonstrate that there is no net increase in TIN discharges from RP-1, RP-4, CCWRF and RP-2.
17. The 1995 Basin Plan includes a revised wasteload allocation for discharges of total dissolved solids (TDS) to the Santa Ana River system. In conformance with the wasteload allocation, this Order specifies a TDS limit of 610 mg/l for the discharge. An alternative limit based on the TDS quality of the water supply in the RP-2's service area plus a 250 mg/l TDS increment is also specified. The more restrictive of the two TDS limits applies.

18. Inland Empire Utilities Agency's (IEUA) service area covers a significant portion of the area involved in the Chino Basin Adjudication. The Chino Basin Watermaster (Watermaster ) administers the adjudication. The Watermaster adopted an Optimum Basin Management Program (OBMP) for the Chino Basin. The OBMP was developed in response to direction from the court that oversees the Chino Basin Adjudication. As part of the OBMP process, the court<sup>1</sup> directed the Watermaster to consider and address water quality issues. The OBMP also establishes a framework for pumping and recharge strategies, and other water resource management projects that may be proposed within the Basin. These water resource management activities will affect the amount of rising groundwater that enters the Santa Ana River from the Chino Basin. Since this rising groundwater is very poor quality (high in both salts (TDS) and nitrogen (nitrates)), the Watermaster's decisions clearly have the potential to significantly effect the water quality of both the Santa Ana River and the Orange County groundwater basin, which is recharged to a significant degree by the River.
19. A program EIR for the OBMP was certified in July 2000 by IEUA.
20. If there are unmitigated increases in the amount of poor quality rising groundwater that enters the Santa Ana River, then the TDS and TIN wasteload allocations will have to be reconsidered. It is likely that significantly more stringent TDS and TIN allocations would be required to assure compliance with water quality objectives. These more stringent wasteload allocations would be implemented via more stringent effluent limitations specified in waste discharge requirements issued to IEUA.
21. Concurrent with the OBMP process, a consortium of agencies known as the Nitrogen/TDS Task Force (including water supply and wastewater management agencies, Santa Ana Watershed Project Authority, and the Regional Board) is conducting a watershed-wide study of TDS and total inorganic nitrogen (TIN). The Task Force has evaluated historic and current ambient water quality throughout the Santa Ana River watershed, including the Chino Basin. The Task Force consultants have developed recommendations for revised groundwater basin boundaries and revised water quality objectives. During the year 2001, the Regional Board expects to consider one or more Basin Plan amendments to incorporate these revised objectives and groundwater management zone boundaries for the Chino Basin and the entire watershed.
22. Comparison of current groundwater quality data from within the Chino Basin indicates that there is no assimilative capacity for salts and nitrogen within most or all of the Chino Basin (i.e., current groundwater quality is at or poorer than the recommended water quality objectives). Pursuant to the California Water Code and guidance provided by the State Water Resources Control Board, discharges to waters without assimilative capacity must be limited to the water quality objectives. If revised water quality objectives are incorporated in the Basin Plan (as Board staff recommends), then waste discharges within the Chino Basin would be required to comply with the new objectives. The objectives recommended for the groundwater management zones proposed for the Chino Basin would generally result in the imposition of more stringent effluent limitations for discharges affecting these zones.

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*The court is also providing oversight to insure that the Watermaster complies with that direction.*

23. It may be difficult to achieve compliance with the more stringent effluent limitations, particularly for TDS, that are likely to be required in response to revised wasteload allocations and/or revised groundwater basin boundaries and water quality objectives. Where strict adherence to numeric effluent limitations is infeasible, it may be possible to achieve compliance by the implementation of an appropriate offset program. The offset program must be designed to ensure that there are no net increases in TDS and nitrogen discharges beyond those allowed by the effluent limits, and thereby, to ensure the protection of Santa Ana River water quality objectives and beneficial uses and other affected receiving waters (e.g. Orange County groundwater basin).
24. This Order contains re-opener clauses to allow the Regional Board to consider revision of portions of the Order in response to any new water quality objectives and basin boundaries that might be adopted by the Board. In the event that providing engineering alternatives would be more efficient than limiting the TDS or nitrogen concentrations in the IEUA effluent, the Board will consider offsets at locations that produce the comparable results of protecting water quality in the Santa Ana River and the Orange County groundwater basin and protecting downstream beneficial uses.
25. Article 5, Section 60315 of Title 22, Chapter 3, "Reclamation Criteria" of the California Code of Regulations specifies that recycled water used as a source supply for nonrestricted recreational impoundments shall be at all times an adequately disinfected, oxidized, coagulated, clarified, filtered wastewater (tertiary treated). The degree of treatment specified represents an approximately 5-log reduction in the virus content of the water. The State Department of Health Services has determined that this degree of virus removal is necessary to protect the health of people using these impoundments for water contact recreation.
26. The Department of Health Services has developed wastewater disinfection guidelines ("Wastewater Disinfection for Health Protection", Department of Health Services, Sanitary Engineering Branch, February 1987) for discharges of wastewater to surface waters where water contact recreation (REC-1) is a beneficial use. The disinfection guidelines recommend the same treatment requirements for wastewater discharges to REC-1 waters as those stipulated in Title 22 for supply of recycled water to nonrestricted recreational impoundments, since the public health risks under both scenarios are analogous. The disinfection guidelines are based on sound science and are widely used as guidance to assure public health and beneficial use protection.
27. The Santa Ana River and Chino Creek are not nonrestricted recreational impoundments," nor is "recycled water" (as defined in the Reclamation Criteria) being used as a supply source for the River or Creek. However, except during major storms, most of the flow in the River and Creek is composed of treated municipal wastewater discharges. The River and Creek are used for water contact recreation and, accordingly, are designated REC-1 (water contact beneficial use). People recreating in the River or Creek face an exposure similar to those coming in contact with recycled water in an impoundment. Therefore, to protect the water contact recreation beneficial use and to prevent nuisance and health risk, it is necessary and appropriate to require the same degree of treatment for wastewater discharges to the River and Creek as would be required for the use of recycled water in a nonrestricted recreational impoundment.

28. Effluent limitations, national standards of performance, and toxic pretreatment effluent standards established pursuant to Section 208(b), 301, 302, 303(d), 304, 306, and 307 of the Clean Water Act, and amendments thereto, are applicable to the discharge.
29. This Order contains requirements for the implementation of an effective pretreatment program pursuant to Section 307 of the Federal Clean Water Act; Parts 35 and 403 of Title 40, Code of Federal Regulations (40 CFR 35 and 40 CFR 403); and/or Section 2233, Title 23, California Code of Regulations.
30. This Order incorporates the requirements specified in the EPA and the Regional Board approved pretreatment program for the discharger's service areas as enforceable conditions of this Order.
31. On February 19, 1993, the U.S. Environmental Protection Agency (USEPA) issued a final rule for the use and disposal of sewage sludge (40 CFR 503). This rule requires that producers of sewage sludge meet certain reporting, handling, and disposal requirements. The State of California has not been delegated the authority to implement this program, therefore, the U.S. Environmental Protection Agency is the implementing agency.
32. On April 17, 1997, the State Board adopted the General Industrial Storm Water Permit, Order No. 97-03-DWQ, NPDES No. CAS000001. This General Permit implements the Final Regulations (40 CFR 122, 123, and 124) for storm water runoff published on November 16, 1990 by EPA in compliance with Section 402(p) of the Clean Water Act (CWA). This Order includes pertinent provisions of the General Industrial Storm Water Permit.
33. On March 2, 2000, the State Water Resources Control Board adopted the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California. This Policy includes implementation provisions for the California Toxics Rule.
34. On May 18, 2000, the U.S. Environmental Protection Agency issued a final rule for the establishment of Numeric Criteria for Priority Toxic Pollutants necessary to fulfill the requirements of Section 303(c)(2)(B) of the Clean Water Act for the State of California. This rule is commonly referred to as the California Toxics Rule.
35. The Regional Board has considered antidegradation pursuant to 40 CFR 131.12 and State Board Resolution No. 68-16 and finds that the IEUA RP-2 discharge is consistent with those provisions.
36. In accordance with Water Code Section 13389, the issuance of waste discharge requirements for this discharge is exempt from those provisions of the California Environmental Quality Act contained in Chapter 3 (commencing with Section 21100), Division 13 of the Public Resources Code.

37. The Regional Board has notified the discharger and other interested agencies and persons of its intent to prescribe waste discharge requirements for the discharge and has provided them with an opportunity to submit their written views and recommendations.
38. The Regional Board, in a public meeting, heard and considered all comments pertaining to the discharge.

**IT IS HEREBY ORDERED** that the discharger, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder and the provisions of the Clean Water Act and regulations and guidelines adopted thereunder, shall comply with the following:

**A. DISCHARGE SPECIFICATIONS:**

1. Effluent Limits: The discharge of wastes containing constituent concentrations in excess of the following limits is prohibited:
- a. Conventional Pollutant Limitations:

FOR DISCHARGES WITHOUT 20:1 DILUTION				
Constituent	Average Weekly Concentration (mg/l)	Average Monthly Concentration (mg/l)	Average Weekly Mass Emission Rate <sup>2</sup> (lbs/day)	Average Monthly Mass Emission Rate (lbs/day)
Biochemical Oxygen Demand	30	20	1,251	834
Suspended Solids	30	20	1,251	834
FOR DISCHARGES WITH 20:1 DILUTION				
Constituent	Average Weekly Concentration (mg/l)	Average Monthly Concentration (mg/l)	Average Weekly Mass Emission Rate (lbs/day)	Average Monthly Mass Emission Rate (lbs/day)
Biochemical Oxygen Demand	45	30	1,877	1,251
Suspended Solids	45	30	1,877	1,251



b. Chlorine Residual/Ammonia Limitations:

Constituent	Instantaneous Maximum (mg/l)	Average Monthly (mg/l)	Average Monthly Emission Rate (lbs/day)
Ammonia-Nitrogen	---	4.5	188
Total Chlorine Residual <sup>3</sup>	0.1	---	---

c. TDS Limitations: For Discharge Specifications No. 1.c.i. and 1.c.ii., the lower of the two total dissolved solids limit is the limit.

- i. The 12-month average total dissolved solids concentration shall not exceed 610 mg/l and 12-month average mass emission rate shall not exceed 25,437 lbs/day<sup>4</sup>, and
- ii. The 12-month average total dissolved solids concentration shall not exceed the 12-month average total dissolved solids concentration in the water supply by more than 250 mg/l.<sup>5</sup>

d. Total Inorganic Nitrogen (TIN) Limitations: The total inorganic nitrogen 12-month average concentration for flows up to 5 mgd shall not exceed 13 mg/l and for flows exceeding 5 mgd shall not exceed 10 mg/l (see also Section G.7., "Compliance Determination"). The 12-month average emission rate shall not exceed the computed value using the equation;

$$\text{TIN 12-month emission rate (lbs/day)} = (542 \text{ lbs})^6 + (\text{flows above 5} \times 8.34 \times 10 \text{ mg/l})$$

<sup>3</sup> See Section G.5., "Compliance Determination"

<sup>4</sup> See Section G.8., "Compliance Determination"

<sup>5</sup> This limitation may be met on a District-wide basis. See also Section G.8. and G.9., "Compliance Determination"

<sup>6</sup> Calculated from 5 mgd x 8.34 x 13 mg/l

e. Trace Constituent Effluent Limitations:

Constituent	Maximum Daily Concentration Limit	Average Monthly Concentration Limit	Maximum Daily Mass Emission Rate	Average Monthly Mass Emission Rate
	(µg/l)	(µg/l)	(lbs/day)	(lbs /day)
Hexachlorocyclohexane- gamma (Lindane)	.08	.062	0.003	0.003

2. The discharge shall at all times be an adequately filtered and disinfected wastewater (tertiary treated effluent) if the flow in the receiving water is less than that required for a dilution of 20:1 (receiving water flow<sup>7</sup> : wastewater flow) at the point of discharge. Filtered wastewater means an oxidized, coagulated, and clarified wastewater which has been passed through natural undisturbed soils or filter media, such as sand or diatomaceous earth (or equivalent as determined by the State Department of Health Services). The discharge shall be considered adequately filtered if the turbidity does not exceed an average of 2.0 turbidity units nor exceeds 5.0 turbidity units more than 5 percent of the time during any 24-hour period. The discharge shall be considered adequately disinfected if the median number of coliform organisms does not exceed 2.2 per 100 milliliters and the number of coliform organisms does not exceed 23 per 100 milliliters in more than one sample within any 30-day period. The median value shall be determined from the bacteriological results of the last 7-days for which analyses have been completed.
3. The discharge of secondary treated wastewater when the flow<sup>7</sup> in the receiving water results in a dilution of 20:1 (receiving water flow: wastewater flow) or more at the point of discharge shall be an adequately disinfected and oxidized wastewater. The discharge shall be considered adequately disinfected if at some location in the treatment process, the median number of coliform organisms does not exceed 23 per 100 milliliters. The median value shall be determined from the bacteriological results of the last 7-days for which analyses have been completed. The discharge shall be considered adequately oxidized if it complies with the average weekly and average monthly effluent limitations for BOD and suspended solids as specified in Discharge Specification A.1.a., above.

The discharger shall make provisions for the measurement of the receiving water flow<sup>7</sup> at a suitable location upstream of the discharge point and determine whether a 20:1 dilution exists before discharging secondary treated effluent. A dilution of 20:1 or more is required at the point of discharge.

<sup>7</sup>

*Exclusive of discharges to surface waters from upstream publicly owned treatment works.*

4. The monthly average biochemical oxygen demand and suspended solids concentrations of the discharge shall not be greater than fifteen percent (15%) of the monthly average influent concentrations.
5. The discharge of any substances in concentrations toxic to animal or plant life in the affected receiving water is prohibited.
6. There shall be no visible oil and grease in the discharge.
7. The pH of the discharge shall be within 6.5 and 8.5 pH<sup>8</sup>.

**B. TOXICITY REQUIREMENTS:**

1. This Order contains no numeric limitation for toxicity. However, the discharger shall conduct chronic toxicity monitoring as specified in Monitoring and Reporting Program (M&RP) No. 01-2.
2. The discharger shall implement the accelerated monitoring as specified in Section D.4. of the M&RP No. 01-2 when the result of any single chronic toxicity test of the effluent exceeds 1.0 TUc.
3. The discharger shall develop an Initial Investigation Toxicity Reduction Evaluation (IITRE) work plan which shall describe the steps the discharger intends to follow if the parameters identified in Toxicity Requirement No. 4, below, are exceeded. The work plan shall include at a minimum:
  - a. A description of the investigation and evaluation techniques that will be used to identify potential causes/sources of the exceedance, effluent variability, and/or efficiency of the treatment system in removing toxic substances. This shall include a description of an accelerated chronic toxicity testing program.
  - b. A description of the methods to be used for investigating and maximizing in-house treatment efficiency and good housekeeping practices.
  - c. A description of the evaluation process to be used to determine if implementation of a more detailed TRE\TIE is necessary.
4. The discharger shall implement the IITRE work plan whenever the results of chronic toxicity tests of the effluent exceed:
  - a. A two month median value of 1.0 TUc for survival or reproduction endpoint or,
  - b. Any single test value of 1.7 TUc for survival endpoint.

5. The discharger shall develop a detailed Toxicity Reduction Evaluation and Toxicity Identification Evaluation (TRE/TIE) work plan that shall describe the steps the discharger intends to follow if the implemented IITRE fails to identify the cause of, or rectify, the toxicity.
6. The discharger shall use as guidance, at a minimum, EPA manuals EPA/600/2-88/070 (industrial), EPA/600/4-89-001A (municipal), EPA/600/6-91/005F (Phase I), EPA/600/R-92/080 (Phase II), and EPA-600/R-92/081 (Phase III) to identify the cause(s) of toxicity. If during the life of this Order the aforementioned EPA manuals are revised or updated, the revised/updated manuals may also be used as guidance. The detailed TRE/TIE work plan shall include:
  - a. Further actions to investigate and identify the cause of toxicity;
  - b. Actions the discharger will take to mitigate the impact of the discharge and to prevent the recurrence of toxicity; and
  - c. A schedule for these actions.
7. The discharger shall implement the TRE/TIE workplan if the IITRE fails to identify the cause of, or rectify, the toxicity, or if in the opinion of the Executive Officer the IITRE does not adequately address an identified toxicity problem.
8. The discharger shall assure that adequate resources are available to implement the required TRE/TIE.

**C. STORM WATER REQUIREMENTS:**

1. Storm water<sup>9</sup> discharges from the Regional Plant No. 2 shall not:
  - a. cause or contribute to a violation of any applicable water quality standards contained in the Basin Plan, or in the State or Federal regulations.
  - b. cause or threaten to cause pollution, contamination, or nuisance.
  - c. contain a hazardous substance equal to or in excess of a reportable quantity listed in 40 CFR Part 117 and/or 40 CFR Part 302.
  - d. adversely impact human health or the environment.
  - e. result in noncompliance with the lawful requirements of municipalities, counties, drainage districts, and other local agencies on storm water discharges into storm drain systems or other courses under their jurisdiction.
2. The Storm Water Pollution Prevention Plan which the discharger has developed for the IEUA RP-2 shall be updated as necessary and implemented in accordance with Attachment "A" of this Order.

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<sup>9</sup>

*Storm water means storm water runoff and surface runoff and drainage.*

**D. RECEIVING WATER LIMITATIONS:**<sup>10</sup>

1. The discharge of wastes shall not cause a violation of any applicable water quality standards for receiving waters adopted by the Board or State Board, as required by the Clean Water Act and regulations adopted thereunder.
2. The discharge shall not cause any of the following:
  - a. Coloration of the receiving waters which causes a nuisance or adversely affects beneficial uses.
  - b. Deposition of oil, grease, wax or other materials in the receiving waters in concentrations which result in a visible film or in coating objects in the water, or which cause a nuisance or affect beneficial uses.
  - c. An increase in the amounts of suspended or settleable solids in the receiving waters which will cause a nuisance or adversely affect beneficial uses as a result of controllable water quality factors.
  - d. Taste or odor producing substances in the receiving waters at concentrations which cause a nuisance or adversely affect beneficial uses.
  - e. The presence of radioactive materials in the receiving waters in concentrations which are deleterious to human, plant or animal life.
  - f. The depletion of the dissolved oxygen concentration below 5.0 mg/l.
  - g. The temperature of the receiving waters to be raised above 90°F (32°C) during the period of June through October, or above 78°F (26°C) during the rest of the year.
  - h. The concentration of pollutants in the water column, sediments, or biota to adversely affect the beneficial uses of the receiving water. The discharge shall not result in the degradation of inland surface water communities and populations, including vertebrate, invertebrate, and plant species.
3. Pollutants not specifically mentioned and limited in this Order shall not be discharged at levels that will bioaccumulate in aquatic resources to levels which are harmful to human health.

<sup>10</sup>

*Receiving water limitations are specific interpretations of water quality objectives from applicable water quality control plans. As such they are a required part of this Order. A receiving water condition not in conformance with any of these receiving water limitations, is not necessarily a violation of this Order. The Regional Board may require an investigation to determine the cause and culpability prior to asserting a violation has occurred, or requiring that corrective action be taken.*

**E. BIOSOLIDS REQUIREMENTS:**

1. Collected screenings, biosolids, and other solids removed from liquid wastes shall be disposed of in a manner that is consistent with Chapter 15, Division 3, Title 23, of the California Code of Regulations and approved by the Executive Officer.
2. The use and disposal of biosolids shall comply with existing Federal and State laws and regulations, including permitting requirements and technical standards included in 40 CFR 503. (see also Section K.6. – Permit Re-opening, Revision, Revocation, and Re-issuance).
3. Any proposed change in biosolids use or disposal practice from a previously approved practice shall be reported to the Executive Officer and EPA Regional Administrator at least 90 days in advance of the change.
4. The discharger shall take all reasonable steps to minimize or prevent any discharge or biosolids use or disposal which has the potential of adversely affecting human health or the environment.

**F. PRETREATMENT REQUIREMENTS:**

1. The discharger shall update as necessary and appropriate the contractual agreements with all governmental agencies<sup>11</sup>. The contractual agreements shall give the discharger the authority to implement and enforce the EPA approved pretreatment program within the sewer service areas of the treatment facility. The discharger shall assure that any other steps necessary to provide this implementation and enforcement authority (e.g. adoption of ordinances, etc.) are taken by all governmental agencies. If a governmental agency has an EPA approved pretreatment program for any portion of the service area of the treatment facility, the discharger's pretreatment program shall contain provisions ensuring that that governmental agency's program is implemented. In the event that any contributory agency fails to effectively implement its individual EPA approved pretreatment program, the discharger shall implement and enforce its approved program within that agency's service area.

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<sup>11</sup>

*Member agencies and sewerage agencies discharging wastewater into the facility.*

2. The discharger shall ensure that the POTW<sup>12</sup> pretreatment programs for all contributory agencies to the treatment facility are implemented and enforced. The discharger shall be responsible and liable for the performance of all Control Authority pretreatment requirements contained in 40 CFR 403, including any subsequent regulatory revisions to Part 403. Where Part 403 or subsequent revisions place mandatory actions upon the discharger as Control Authority but does not specify a timetable for completion of the actions, the discharger shall submit for approval of the Regional Board's Executive Officer, a schedule for implementation of the required actions and shall implement the approved schedule. The schedule for implementation shall be submitted within six months from the date that such mandatory actions are established. For violations of pretreatment requirements, the discharger shall be subject to enforcement actions, penalties, fines and other remedies by the EPA, or other appropriate parties, as provided in the CWA, as amended (33 USC 1351 et seq.). The EPA or the Regional Board may also initiate enforcement action against an industrial user (IU) for non-compliance with applicable standards and requirements as provided in the CWA.
3. The discharger shall enforce the requirements promulgated under Sections 307(b), 307(c), 307(d), and 402(b) of the CWA with timely, appropriate and effective enforcement actions. The discharger shall cause industrial users (IUs) subject to the Federal Categorical Standards to achieve compliance no later than the date specified in those requirements or, in the case of a new IU, upon commencement of the discharge.
4. The discharger shall perform the pretreatment functions as required in 40 CFR Part 403 including, but not limited to:
  - a. Enforce the pretreatment requirements under 40 CFR 403.5 and 403.6;
  - b. Implement the necessary legal authorities as provided in 40 CFR 403.8(f)(1);
  - c. Implement the programmatic functions as provided in 40 CFR 403.8(f)(2);
  - d. Publish a list of significant non-compliance as required by 40 CFR 403.8(f)(2)(vii), and
  - e. Provide the requisite funding and personnel to implement the pretreatment program as provided in 40 CFR 403.8(f)(3).
5. The following wastes shall not be introduced into the treatment works:
  - a. Wastes which create a fire or explosion hazard in the treatment works;
  - b. Wastes which will cause corrosive structural damage to treatment works, but, in no case, wastes with a pH lower than 5.0 unless the works are designed to accommodate such wastes;

- c. Wastes at a flow rate and/or pollutant discharge rate which is excessive over relatively short time periods so that there is a treatment process upset and subsequent loss of treatment efficiency;
  - d. Solid or viscous wastes in amounts which would cause obstruction to the flow in sewers or otherwise interfere with the proper operation of the treatment works.
6. The discharger shall ensure compliance with any existing or future pretreatment standard promulgated by EPA under Section 307 of the CWA or amendments thereto for any discharge to the municipal system.
7. The discharger shall comply with effluent standards or prohibitions established under Section 307(a) of the CWA for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if this Order has not yet been modified to incorporate the requirement. The discharger shall require each user not in compliance with any pretreatment standard to submit periodic notice (over intervals not to exceed nine months) of progress toward compliance with applicable toxic and pretreatment standards developed pursuant to the CWA or amendments thereto. The discharger shall forward a copy of such notice to the Regional Board and to the EPA Regional Administrator.

**G. COMPLIANCE DETERMINATION:**

- 1. The "maximum daily" concentration is defined as the measurement made on any single grab sample or composite sample.
- 2. Compliance with average weekly and monthly discharge limitations specified under Discharge Specifications A.1.a., A.1.b. and A.1.e. shall be determined from the average of the analytical results of all samples collected during a calendar week or month, respectively.
- 3. Compliance with the 12-month average limit under Discharge Specification A.1.c. and A.1.d. shall be determined by the arithmetic mean of the last twelve monthly averages.
- 4. The discharger shall be deemed out of compliance with an effluent limitation if the concentration of the priority pollutant in the monitoring sample is greater than the effluent limitation.
  - a. Until July 1, 2001, compliance determination shall be based on the practical quantitation levels<sup>13</sup> (PQL) specified in Attachment "A" of M&RP No. 01-2 or on the lower reporting level that may reasonably be achieved by the discharger. (with prior approval by the Executive Officer of the Regional Board)

<sup>13</sup>

*PQL is the lowest concentration of a substance which can be determined within  $\pm 20$  percent of the true concentration by 75 percent of the analytical laboratories tested in a performance evaluation study. Alternatively, if performance data are not available, the PQL is the method detection limit (MDL)  $\times 5$  for carcinogens and MDL  $\times 10$  for noncarcinogens.*



- b. As of July 1, 2001, compliance determination shall be based on the quantification levels specified in Attachment "B" of the Monitoring and Reporting Program No. 01-2, unless an alternative minimum level<sup>14</sup> (ML) is approved by the Regional Board's Executive Officer. The Executive Officer is authorized to extend the July 1, 2001 date provided that the discharger demonstrates good cause and that the extension is as short as possible.
  - c. When determining compliance with an average monthly limit and more than one sample result is available in a month, the discharger shall compute the arithmetic mean unless the data set contains one or more reported determinations of detected but not quantified (DNQ) or not detected (ND). In those cases, the discharger shall compute the median in place of the arithmetic mean in accordance with the following procedure:
    - 1) The data set shall be ranked from low to high, reported ND determinations lowest, DNQ determinations next, followed by quantified values (if any). The order of the individual ND or DNQ determinations is unimportant.
    - 2) The median value of the data set shall be determined. If the data set has an odd number of data points, then the median is the middle value. If the data set has an even number of data points, then the median is the average of the two values around the middle unless one or both of the points are ND or DNQ, in which case the median value shall be the lower of the two data points where DNQ is lower than a value and ND is lower than DNQ. If a sample result, or the arithmetic mean or median of multiple sample results, is below the reported ML, and there is evidence that the priority pollutant is present in the effluent above an effluent limitation and the discharger conducts a pollutant minimization program (PMP)<sup>15</sup> (as described in Section J.6.), the discharger shall not be deemed out of compliance.
5. Compliance determinations for total chlorine residual shall be based on 99% compliance. To determine 99% compliance with the effluent limitation specified in Discharge Specification A.1.b. for total chlorine residual, the following conditions shall be satisfied: (1) The total time during which the total chlorine residual values are above 0.1 mg/l (instantaneous maximum value) shall not exceed 7 hours and 26 minutes in any calendar month; (2) No individual excursion from 0.1 mg/l value shall exceed 5 minutes; and (3) No individual excursion shall exceed 5.0 mg/l.

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<sup>14</sup> Minimum level is the concentration at which the entire analytical system must give a recognizable signal and acceptable point. The ML is the concentration in a sample that is equivalent to the concentration of the lowest calibration standard analyzed by a specific analytical procedure, assuming that all the method specified sample weights, volumes, and processing steps have been followed.

<sup>15</sup> The goal of the PMP shall be to reduce all potential sources of a priority pollutant(s) through pollutant minimization (control) strategies, including pollution prevention measures as appropriate, to maintain the effluent concentration at or below the water quality-based effluent limitation.

6. Pursuant to 40 CFR 401.17, the discharger shall be in compliance with the pH limitation specified in Discharge Specification A.7., above, provided that both of the following conditions are satisfied: (1) The total time during which the pH values are outside the required range of 6.5-8.5 pH values shall not exceed 7 hours and 26 minutes in any calendar month; and (2) No individual excursion from the range of pH values shall exceed 60 minutes.
7. If the TIN limit in this Order (Discharge Specifications A.1.d. is exceeded, compliance shall be achieved by removal of an equivalent amount of total inorganic nitrogen (nitrogen offset program) from RP-1, RP-4, and/or CCWRF. The discharger shall provide the necessary calculations showing that the offset program has not resulted in any net increase in TIN discharges from RP-1 and RP-4, RP-2 and CCWRF.
8. The Regional Board will not initiate enforcement action for violations of the TDS limit specified in Discharge Specification A.1.c.i., except as required by Sections 13385 (h) and (i) of the California Water Code, provided that:
  - a. The discharger demonstrates to the satisfaction of the Regional Board's Executive Officer that:
    - 1) the violation is due to the TDS quality of water supply sources utilized in the discharger's service area; and
    - 2) that all reasonable steps, as agreed upon by the Executive Officer, have been taken to ensure that best TDS quality supplies are obtained and utilized in the discharger's service area; and
  - b. The discharger develops and implements, with the approval of the Executive Officer, a plan to offset TDS discharges in excess of TDS limitations.
9. The Regional Board will not initiate enforcement action for violations of the TDS limits specified in Discharge Specifications A.1.c.i. and A.1.c.ii., except as required by Sections 13385 (h) and (i) of the California Water Code, provided that:
  - a. The discharger demonstrates to the satisfaction of the Executive Officer that:
    - 1) The TDS violation(s) are due solely to chemical additions in the treatment process needed to meet waste discharge requirements; and
    - 2) The discharger has taken all steps to optimize chemical additions so as to minimize the TDS increases; and
  - b. The discharger develops and implements, with the approval of the Executive Officer, a plan to offset TDS discharges in excess of TDS limitations.

10. Compliance determinations shall be based on available analyses for the time interval associated with the effluent limitation. Where only one sample analysis is available in a specified time interval (e.g., monthly or weekly average), that sample shall serve to characterize the discharge for the entire interval. If quarterly sample result shows noncompliance with the average monthly limit and that sample result is used for compliance determinations for each month of the quarter, then three separate violations of the average monthly limit shall be deemed to have occurred.
11. For non-priority pollutants, compliance based on a single sample analysis shall be determined where appropriate, as described below:
  - a. When the effluent limitation is greater than or equal to the PQL, compliance shall be determined based on the effluent limitation in either single or multiple sample analyses.
  - b. When the effluent limitation is less than the PQL, compliance determinations based on analysis of a single sample shall only be undertaken if the concentration of the constituent of concern in the sample is greater than or equal to the PQL.
12. For non- priority pollutants, the discharge shall be considered to be in compliance with an effluent limitation which is less than or equal to the PQL specified in Attachment "A" of M&RP No. 01-2 if the arithmetic mean of all test results for the monitoring period is less than the constituent effluent limitation. Analytical results that are less than the specified PQL shall be assigned a value of zero.
13. "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with permit effluent limitations because of factors beyond the reasonable control of the discharger. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper action. A discharger that wishes to establish the affirmative defense of an upset in an action brought for non-compliance shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
  - a. an upset occurred and that the discharger can identify the cause(s) of the upset;
  - b. the permitted facility was being properly operated at the time of the upset;
  - c. the discharger submitted notice of the upset as required in Section H.14., below;
  - d. the discharger complied with any remedial measures required under Section J.11., below.

No determination made before an action for noncompliance, such as during administrative review of claims that noncompliance was caused by an upset, is final administrative action subject to judicial review. In any enforcement proceeding, the discharger seeking to establish the occurrence of an upset has the burden of proof.

**H. REQUIRED NOTICES AND REPORTS:**

1. Reporting Provisions:
  - a. All applications, reports, or information submitted to the Regional Board shall be signed and certified in accordance with 40 CFR 122.22 except as otherwise specified by the Regional Board's Executive Officer.
  - b. The discharger shall furnish, within a reasonable time, any information the Regional Board or EPA may request to determine compliance with this Order or whether cause exists for modifying, revoking and reissuing, or terminating this Order. The discharger shall also furnish to the Regional Board, upon request, copies of records required to be kept by this Order.
  - c. Except for data determined to be confidential under Section 308 of the CWA, all reports prepared in accordance with the terms of this Order shall be available for public inspection at the offices of the Regional Board and the Regional Administrator of EPA. As required by the CWA, effluent data shall not be considered confidential. Knowingly making any false statements on any such report may result in the imposition of criminal penalties as provided for in Section 309 of the CWA and Section 13387 of the California Water Code.
2. By April 2, 2001, the discharger shall notify the Executive Officer of its continuous involvement with the comprehensive mercury investigation program currently being conducted by a group of Santa Ana River system dischargers. If the discharger discontinues its involvement with this comprehensive program, the discharger shall, within 60 days of that date, submit for the approval of the Executive Officer its plan for the annual testing of mercury levels in fish flesh samples collected from the Santa Ana River, upstream of, at, and downstream of the point of the River's confluence with Chino Creek. Upon approval, the discharger shall implement the plan.
3. By April 2, 2001, the discharger shall submit an updated written description of electrical power failure safeguards. Such safeguards may include alternate power sources, standby generators, retention capacity, operating procedures, or other means. The description of the safeguards provided shall include an analysis of the frequency, duration, and impact of power failures experienced over the past year(s) of treatment plant operation on effluent quality and on the capability of the discharger to comply with the requirements of this Order. Deficiencies in present safeguards must be identified together with a plan for any necessary corrective actions. The adequacy of the safeguards and the corrective action plan (if necessary) is subject to the approval of the Executive Officer.
4. By April 2, 2001, the discharger shall submit an updated technical report on the discharger's preventive (failsafe) and contingency (response and cleanup) plans for controlling accidental discharges and for minimizing the effect of such events. This technical report may be combined with that required under Section H.3., above. The technical report shall:

- a. Identify the possible sources of accidental loss, untreated waste bypass, and contaminated drainage. Loading and storage areas, power outage, waste treatment outage, and failure of process equipment, tanks, and pipes should be considered.
  - b. Evaluate the effectiveness of present facilities and procedures and state when they become operational.
  - c. Describe any new facilities and procedures needed. Predict the effectiveness of the proposed facilities and procedures and provide an implementation schedule containing interim and final dates when they will be constructed, implemented, or operational.
  - d. Describe proposed and completed training programs and schedules to train and familiarize plant operating personnel with the discharger's preventive (failsafe) and contingency (response and cleanup) plans for controlling accidental discharges and for minimizing the effect of such events.
5. By April 2, 2001, the latest signed copy of the pretreatment contractual agreements with the Cities of Chino and Chino Hills shall be submitted to the Regional Board Office and to the U.S. EPA, Region 9.
6. By July 1, 2001, the discharger shall submit a copy of the Initial Investigation Toxicity Reduction Evaluation work plan specified in Toxicity Requirement B.3 of this Order.
7. By July 1, 2001, the discharger shall submit a copy of the TRE/TIE work plan specified in Toxicity Requirement B.5 of this Order.
8. By July 1, 2001, the discharger shall submit for approval by the Executive Officer, a report which details the manner in which sampling, monitoring and reporting will be performed as required in this Order.
9. The discharger shall orally notify the Executive Officer of the Regional Board, or designee, within 24 hours of a discharge of secondary treated and disinfected wastewater into Chino Creek. Within seven days after the discharge, the discharger shall submit documentation that 20:1 dilution existed in Chino Creek at the time of the discharge. Documentation shall include the date(s), time(s), and duration(s) of the discharge, the corresponding flow in the receiving stream during the discharge, and the climatic condition in the area during the discharge.
10. The discharger shall give advance notice to the Regional Board of any planned physical alterations or additions to the permitted facility or changes in operation or activity that may result in noncompliance with these waste discharge requirements.

11. The discharger shall provide adequate notice to the Regional Board of:
  - a. Any new introduction of pollutants into the POTW from an indirect discharger that would be subject to Sections 301 or 306 of the CWA if it were directly discharging those pollutants.<sup>16</sup>
  - b. Any change in the volume or character of pollutants being introduced by an existing or new source into the treatment facility that will cause or threaten to cause a violation of this Order.
  - c. Any planned changes in the discharger's sludge use or disposal practice, or provision of additional disposal sites not reported during the permit application process.
  - d. Any proposed change in the character, location, or method of disposal of the discharge, or any proposed change in ownership of the facility.
  - e. All instances of noncompliance. Reports of noncompliance shall be submitted with the discharger's next scheduled self-monitoring report or earlier, as specified in this Order, or if requested by the Executive Officer, or if required by an applicable standard for sludge use and disposal.
12. The discharger shall file a written report with the Regional Board within ninety (90) days after the average dry-weather waste flow for any month equals or exceeds 75 percent of the design capacity of the waste treatment and/or disposal facilities. The discharger's senior administrative officer shall sign a letter which transmits that report and certifies that the policy making body is adequately informed about it. The report shall include:
  - a. Average daily flow for the month, the date on which the instantaneous peak flow occurred, the rate of that peak flow, and the total flow for the day.
  - b. The discharger's best estimate of when the average daily dry-weather flow rate will equal or exceed the design capacity of the treatment facilities.
  - c. The discharger's intended schedule for studies, design, and other steps needed to provide additional capacity for the waste treatment and/or disposal facilities before the waste flow rate equals the capacity of present units.
13. The discharger shall file with the Regional Board a Report of Waste Discharge at least 180 days before making any material change in the character, location, or volume of the discharge. A material change includes, but is not limited to, the following:
  - a. Adding a major industrial waste discharge to a discharge of essentially domestic sewage, or adding a new process or product by an industrial facility resulting in a change in the character of the waste.

<sup>16</sup>

*Adequate notice shall include information on the quality and quantity of effluent introduced, and any anticipated impact of the change on the quantity or quality of the discharger's effluent and/or sludge.*

- b. Significantly changing the disposal method or location, such as changing the disposal to another drainage area or water body.
  - c. Significantly changing the method of treatment.
  - d. Increasing the treatment plant design capacity beyond that specified in this Order.
14. The discharger shall immediately report any condition related to the discharger's collection, treatment or disposal facilities that may endanger human health or the environment including any unauthorized discharge not regulated by this Order of treated, partially treated, or untreated wastewater from the discharger's collection, treatment, or disposal system in excess of 1000 gallons. All available information concerning the condition and/or unauthorized discharge shall be provided to the Executive Officer or the Executive Officer's designee (909-782-4130) and the Office of Emergency Services (1-800-852-7550), as soon as the discharger becomes aware of the circumstances. A written report shall be submitted within 5 days and shall contain a description of the condition and its cause; the duration of the condition, including exact dates and times, and, if the condition has not been corrected, the anticipated time it is expected to continue; and the steps taken or planned to reduce, eliminate, and prevent recurrence of the condition, with a schedule for their implementation. The following shall be included as information that must be reported within 24 hours under this paragraph:
- a. Any unanticipated bypass that exceeds any requirement of this Order.
  - b. Any upset that exceeds any requirement of this Order.
  - c. Any violation of a maximum daily discharge limitation for any of the pollutants listed in this Order.
  - d. Any unauthorized discharge not regulated by this Order of treated, partially treated, or untreated wastewater resulting from the intentional or unintentional diversion of wastewater from a collection, treatment or disposal system.
  - e. The Executive Officer or the Executive Officer's designee may waive the above-required written report on a case-by-case basis.

Discharges of less than 1000 gallons that do not endanger human health or the environment shall be reported to the Executive Officer's designee no later than the last day of the month following the month the discharges occurred.

**I. PENALTIES:**

1. Violation of any of the provisions of the NPDES program or of any of the provisions of this Order may subject the violator to any of the penalties described under Section 309(c) of the CWA, or any subsequent amendments to Section 309(c). The violator may be subjected to any combination of the penalties described herein at the discretion of the prosecuting authority; however, only one kind of penalty may be applied for each kind of violation.

2. The CWA provides that any person who violates any portion of this Order implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the CWA, or any order requirement or limitation implementing any such sections in this Order, is subject to a civil penalty not to exceed \$25,000 per day for each violation. The CWA provides that any person who willfully or negligently violates this Order with regard to these sections of the CWA is subject to criminal penalties of \$2,500 to \$25,000 per day of violation, or imprisonment of not more than 1 year, or both. Any person who knowingly violates a provision implementing these sections is subject to criminal penalties of \$5,000 to \$50,000 per day of violation, or imprisonment of not more than 3 years, or both.
3. The CWA provides that any person who knowingly falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this Order shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 2 years per violation, or by both.
4. The CWA provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this Order, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 2 years per violation, or by both.
5. The California Water Code provides that any person who violates an order of the Regional Board is subject to civil penalties of up to \$25,000 per day of violation, and when the violation involves the discharge of pollutants, additional civil penalties of up to \$25 per gallon.

**J. PROVISIONS:**

1. This Order shall serve as a National Pollutant Discharge Elimination System permit pursuant to Section 402 of the CWA, or amendments thereto. The NPDES permit shall become effective 10 days after the date of adoption provided the Regional Administrator of the EPA has no objection. If the Regional Administrator objects to its issuance, this Order shall not serve as an NPDES permit until such objection is withdrawn.
2. Neither the treatment nor the discharge of waste shall create, or threaten to create, a nuisance or pollution as defined by Section 13050 of the California Water Code.
3. Order No. 95-48 is hereby rescinded.
4. This Order expires January 1, 2006 and the discharger must file a Report of Waste Discharge in accordance with Title 23, Division 3, Chapter 9 of the California Code of Regulations not later than 180 days in advance of this expiration date. The Report of Waste Discharge shall serve as the application for issuance of new waste discharge requirements.



5. The discharger shall comply with M&RP No. 01-2 as issued by the Executive Officer. This monitoring and reporting program may be modified by the Executive Officer at any time during the term of this Order, and may include a reduction or an increase in the number of parameters to be monitored, the frequency of the monitoring or the number and size of samples to be collected.
6. The discharger shall conduct a Pollutant Minimization Program (PMP) when there is evidence that the priority pollutant is present in the effluent above an effluent limitation (e.g., sample results reported as detected but not quantified (DNQ) when the effluent limitation is less than the MDL, sample results from analytical methods more sensitive than those methods included in the permit, presence of whole effluent toxicity, health advisories for fish consumption, results of benthic or aquatic organism tissue sampling) and either: (i) A sample result is reported as DNQ and the effluent limitation is less than the reported ML; or (ii) A sample result is reported as ND and the effluent limitation is less than the MDL. The PMP shall include, but not be limited to, the following actions and submittals acceptable to the Regional Board:
  - a. An annual review and semi-annual monitoring of potential sources of the reportable priority pollutant(s), which may include fish tissue monitoring and other bio-uptake sampling;
  - b. Quarterly monitoring for the reportable priority pollutant(s) in the influent to the wastewater treatment system;
  - c. Submittal of a control strategy designed to proceed toward the goal of maintaining concentrations of the reportable priority pollutant(s) in the effluent at or below the effluent limitation;
  - d. Implementation of appropriate cost-effective control measures for the reportable priority pollutant(s), consistent with the control strategy; and
  - e. An annual status report that shall be sent to the Regional Board including:
    - 1) All PMP monitoring results for the previous year;
    - 2) A list of potential sources of the reportable priority pollutant(s);
    - 3) A summary of all actions undertaken pursuant to the control strategy; and
    - 4) A description of actions to be taken in the following year.
7. The discharger shall immediately implement an approved plan for the investigation of the sources of mercury, if a single validated effluent monitoring result for mercury shows a concentration level at or above the minimum level specified in Attachment "B" of M&RP No. 01-2.
8. The discharger shall conduct a controlled and intensive monitoring program for bis (2-ethylhexyl) phthalate for one year until March 1, 2002, using methods, equipment and processes that will prevent contamination of effluent samples during sampling and testing and assure reliability of testing results. The discharger's testing laboratory shall be able to achieve a minimum detection level of 5 micrograms per liter for quantifying bis (2-ethylhexyl) phthalate concentrations in the effluent.
9. The discharger shall maintain a copy of this Order at the site so that it is available to site operating personnel at all times. Key operating personnel shall be familiar with its content.

10. The discharger must comply with all of the requirements of this Order. Any violation of this Order constitutes a violation of the California Water Code and may constitute a violation of the CWA and its regulations, and is grounds for enforcement action, termination of this Order, revocation and re-issuance of this Order, denial of an application for re-issuance of this Order; or a combination thereof.
11. The discharger shall take all reasonable steps to:
  - a. minimize or prevent any discharge that has a reasonable likelihood of adversely affecting human health or the environment.
  - b. minimize any adverse impact to receiving waters resulting from noncompliance with any requirements specified in this Order, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.
12. The discharger shall provide safeguards to assure that should there be reduction, loss, or failure of electric power, the discharger will comply with the requirements of this Order.
13. The discharger shall, at all times, properly operate and maintain all facilities and systems of treatment and control including sludge use, disposal facilities, and related appurtenances which are installed or used by the discharger to achieve compliance with this Order. Proper operation and maintenance includes adequate laboratory controls, appropriate quality assurance procedures, effective performance, adequate funding, adequate staffing and training, and adequate process controls. This provision requires the operation of back up or auxiliary facilities or similar systems which are installed by a discharger only when the operation is necessary to achieve compliance with the requirements of this Order.
14. The discharger shall update as necessary, the "Operation and Maintenance Manual (O&M Manual)" which it has developed for the Carbon Canyon Facility to conform with latest plant changes and requirements. The O&M Manual shall be readily available to operating personnel onsite. The O&M Manual shall include the following:
  - a. Description of the treatment plant table of organization showing the number of employees, duties and qualifications and plant attendance schedules (daily, weekends and holidays, part-time, etc). The description should include documentation that the personnel are knowledgeable and qualified to operate the treatment facility so as to achieve the required level of treatment at all times.
  - b. Detailed description of safe and effective operation and maintenance of treatment processes, process control instrumentation and equipment.
  - c. Description of laboratory and quality assurance procedures.
  - d. Process and equipment inspection and maintenance schedules.

- e. Description of safeguards to assure that, should there be reduction, loss, or failure of electric power, the discharger will be able to comply with requirements of this Order.
  - f. Description of preventive (fail-safe) and contingency (response and cleanup) plans for controlling accidental discharges, and for minimizing the effect of such events. These plans shall identify the possible sources (such as loading and storage areas, power outage, waste treatment unit failure, process equipment failure, tank and piping failure) of accidental discharges, untreated or partially treated waste bypass, and polluted drainage.
15. The discharger's wastewater treatment plant shall be supervised and operated by persons possessing certificates of appropriate grade pursuant to Title 23, Division 3, Chapter 14, California Code of Regulations.
  16. The discharge of any radiological, chemical, or biological warfare agent or high level radiological waste is prohibited.
  17. The provisions of this Order are severable, and if any provision of this Order, or the application of any provisions of this Order to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this Order shall not be affected thereby.
  18. The filing of a request by the discharger for modification, revocation and re-issuance, or termination of this Order or a notification of planned changes or anticipated noncompliance does not stay any requirements of this Order.
  19. The requirements prescribed herein do not authorize the commission of any act causing injury to the property of another, nor protect the discharger from liabilities under federal, state, or local laws, nor guarantee the discharger a capacity right in the receiving waters.
  20. This Order does not convey any property rights of any sort, or any exclusive privilege.
  21. This Order is not transferable to any person except after notice to, and approval by the Executive Officer. The Regional Board may require modification or revocation and re-issuance of this Order to change the name of the discharger and incorporate such other requirements as may be necessary under the CWA.
  22. Collected screenings, sludge, and other solids removed from liquid wastes shall be disposed of in a manner approved by the Regional Board's Executive Officer.
  23. If the discharger demonstrates a correlation between the biological oxygen demand (BOD) and total organic carbon (TOC) concentrations in the effluent to the satisfaction of the Executive Officer, compliance with the BOD limits contained in this Order may be determined based on analyses of the TOC of the effluent.

24. In the event of any change in control or ownership of land or waste discharge facility presently owned or controlled by the discharger, the discharger shall notify the succeeding owner or operator of the existence of this Order by letter, a copy of which shall be forwarded to the Regional Board.
25. It shall not be a defense for a discharger in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the requirements of this Order.
26. Bypass (the intentional diversion of waste streams from any portion of a treatment facility or collection system) is prohibited unless it is permitted under the terms of this Order. The Regional Board may take enforcement action against the discharger for unpermitted bypass unless:
  - a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage. (Severe property damage means substantial physical damage to property, damage to the treatment facilities that causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.);
  - b. There were no feasible alternative to bypass, such as the use of auxiliary treatment facilities, retention of untreated waste, or maintenance during normal periods of equipment down time. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that could occur during normal periods of equipment down time or preventive maintenance; and
  - c. The discharger submitted a notice to the Regional Board at least ten days in advance of the need for a bypass. The discharger may allow a bypass to occur that does not cause effluent limitations to be exceeded, but only if the by-pass is required for essential maintenance to assure efficient operation, and neither effluent nor receiving water limitations are exceeded. In such a case, the above bypass conditions are not applicable. The discharger shall promptly notify the Regional Board and the EPA within 24 hours of each such bypass.
27. The Regional Board, EPA, and other authorized representatives shall be allowed:
  - a. Entry upon premises where a regulated facility or activity is located or conducted, or where records are kept under the requirements of this Order;
  - b. Access to copy any records that are kept under the requirements of this Order;
  - c. To inspect any facility, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order; and
  - d. To photograph, sample and monitor for the purpose of assuring compliance with this Order, or as otherwise authorized by the CWA.

**K. PERMIT RE-OPENING, REVISION, REVOCATION, AND RE-ISSUANCE:**

1. This Order may be modified, revoked and reissued, or terminated for cause.
2. This Order may be reopened to address any changes in State or federal plans, policies or regulations that would affect the quality requirements for the discharges.
3. This Order may be reopened to include effluent limitations for pollutants determined to be present in the discharge in concentrations that pose a reasonable potential to cause or contribute to violations of water quality objectives.
4. This Order may be reopened to include an appropriate bioconcentration based limit for mercury, if test results (as required in M&RP No. 01-2) show that the concentration levels of mercury in the edible portions of fish are at or above 0.35 milligram per kilogram of fish tissue.
5. This Order may be reopened and modified in accordance with the requirements set forth at 40 CFR 122 and 124, to include the appropriate conditions or limits to address demonstrated effluent toxicity based on newly available information, or to implement any EPA-approved new State water quality standards applicable to effluent toxicity.
6. This Order may be reopened to incorporate appropriate biosolids requirements if the State Water Resources Control Board and the Regional Water Quality Control Board are given the authority to implement regulations contained in 40 CFR 503.
7. The Regional Board shall notice a reconsideration of this Order within 60 days of the date of the final judgment by the San Francisco Superior Court in *WaterKeepers Northern California, et al.*, Case No. 312513, for the purpose of modifying this Order to make it consistent with the judgment of the Court in this matter where any term, limitation, or provision is inconsistent with the judgment. This Order shall be modified within the time period established by the Court in this matter.

I, Gerard J. Thibeault, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an order adopted by the California Regional Water Quality Control Board, Santa Ana Region, on January 19, 2001.

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Gerard J. Thibeault  
Executive Officer

## STORM WATER POLLUTION PREVENTION PLAN REQUIREMENTS

### 1. Implementation Schedule

A storm water pollution prevention plan (SWPPP) shall be developed and implemented in a timely manner, but in no case later than March 1, 2001. If there is an existing SWPPP, this shall be updated as necessary in accordance with the following requirements.

### 2. Objectives

The SWPPP has two major objectives: (a) to identify and evaluate sources of pollutants associated with industrial activities that may affect the quality of storm water discharges and authorized non-storm water discharges from the facility; and (b) to identify and implement site-specific best management practices (BMPs) to reduce or prevent pollutants associated with industrial activities in storm water discharges and authorized non-storm water discharges. BMPs may include a variety of pollution prevention measures or other low-cost pollution control measures. They are generally categorized as non-structural BMPs (activity schedules, prohibitions of practices, maintenance procedures, and other low-cost measures) and as structural BMPs (treatment measures, run-off controls, over-head coverage). To achieve these objectives, dischargers should consider the five phase process for SWPPP development and implementation as shown in Table A (see page 10 of 11, below).

The SWPPP requirements are designed to be sufficiently flexible to meet the various needs of the facility. SWPPP requirements that are not applicable to the facility should not be included in the SWPPP.

A facility's SWPPP is a written document that shall contain a compliance activity schedule, a description of industrial activities and pollutant sources, descriptions of BMPs, drawings, maps, and relevant copies or references of parts of other plans. The SWPPP shall be revised whenever appropriate and shall be readily available for review by facility employees or Regional Board inspectors.

### 3. Planning and Organization

#### *a. Pollution Prevention Team*

The SWPPP shall identify a specific individual or individuals and their positions within the facility organization as members of a storm water pollution prevention team responsible for developing the SWPPP, assisting the facility manager in SWPPP implementation and revision, and conducting all monitoring program activities required in the stormwater monitoring program of Order No. 01-2. The SWPPP shall clearly identify the storm water pollution prevention related responsibilities, duties, and activities of each team member.

*b. Review Other Requirements and Existing Facility Plans*

The SWPPP may incorporate or reference the appropriate elements of other regulatory requirements. The discharger shall review all local, state, and federal requirements that impact, complement, or are consistent with the requirements of Order No. 01-2. The discharger shall identify any existing facility plans that contain storm water pollutant control measures or relate to the requirements of Order No. 01-2. As examples, dischargers whose facilities are subject to Federal Spill Prevention Control and Countermeasures' requirements should already have instituted a plan to control spills of certain hazardous materials. Similarly, the discharger whose facilities are subject to air quality related permits and regulations may already have evaluated industrial activities that generate dust or particulates.

4. Site Map

The SWPPP shall include a site map. The site map shall be provided on an 8-1/2 x 11 inch or larger sheet and include notes, legends, and other data as appropriate to ensure that the site map is clear and understandable. If necessary, the discharger may provide the required information on multiple site maps. The following information shall be included on the site map:

- a. The facility boundaries; the outline of all storm water drainage areas within the facility boundaries; portions of the drainage area impacted by run-on from surrounding areas; and direction of flow of each drainage area, on-site surface water bodies, and areas of soil erosion. The map shall also identify nearby water bodies (such as rivers, lakes, ponds) and municipal storm drain inlets where the facility's storm water discharges and authorized non-storm water discharges may be received.
- b. The location of the storm water collection and conveyance system, associated points of discharge, and direction of flow. Include any structural control measures that affect storm water discharges, authorized non-storm water discharges, and run-on. Examples of structural control measures are catch basins, berms, detention ponds, secondary containment, oil/water separators, diversion barriers, etc.
- c. An outline of all impervious areas of the facility, including paved areas, buildings, covered storage areas, or other roofed structures.
- d. Locations where materials are directly exposed to precipitation and the locations where significant spills or leaks identified in Section 6.a.(4)., below, have occurred.
- e. Areas of industrial activity. This shall include the locations of all storage areas and storage tanks, shipping and receiving areas, fueling areas, vehicle and equipment storage/maintenance areas, material handling and processing areas, waste treatment and disposal areas, dust or particulate generating areas, cleaning and rinsing areas, and other areas of industrial activity which are potential pollutant sources.

5. List of Significant Materials

The SWPPP shall include a list of significant materials handled and stored at the site. For each material on the list, describe the locations where the material is being stored, received, shipped, and handled, as well as the typical quantities and frequency. Materials shall include raw materials, intermediate products, final or finished products, recycled materials, and waste or disposed materials.

6. Description of Potential Pollutant Sources

- a. The SWPPP shall include a narrative description of the facility's industrial activities, as identified in Section 4.e., above, associated potential pollutant sources, and potential pollutants that could be discharged in storm water discharges or authorized non-storm water discharges. At a minimum, the following items related to a facility's industrial activities shall be considered:

(1) Industrial Processes

Describe each industrial process, the type, characteristics, and quantity of significant materials used in or resulting from the process, and a description of the processes (manufacturing or treatment), cleaning, rinsing, recycling, disposal, or other activities related to the process. Where applicable, areas protected by containment structures and the corresponding containment capacity shall be described.

(2) Material Handling and Storage Areas

Describe each handling and storage area, type, characteristics, and quantity of significant materials handled or stored, description of the shipping, receiving, and loading procedures, and the spill or leak prevention and response procedures. Where applicable, areas protected by containment structures and the corresponding containment capacity shall be described.

(3) Dust and Particulate Generating Activities

Describe all industrial activities that generate dust or particulates that may be deposited within the facility's boundaries and identify their discharge locations; the characteristics of dust and particulate pollutants; the approximate quantity of dust and particulate pollutants that may be deposited within the facility boundaries; and a description of the primary areas of the facility where dust and particulate pollutants would settle.



(4) Significant Spills and Leaks

Describe materials that have spilled or leaked in significant quantities in storm water discharges or non-storm water discharges. Include toxic chemicals (listed in 40 Code of Federal Regulations [CFR] Part 302) that have been discharged to storm water as reported on U.S. Environmental Protection Agency (U.S. EPA) Form R, and oil and hazardous substances in excess of reportable quantities (see 40 CFR, Parts 110, 117, and 302).

The description shall include the type, characteristics, and approximate quantity of the material spilled or leaked, the cleanup or remedial actions that have occurred or are planned, the approximate remaining quantity of materials that may be exposed to storm water or non-storm water discharges, and the preventative measures taken to ensure spills or leaks do not reoccur. Such list shall be updated as appropriate during the term of Order No. 01-2.

(5) Non-Storm Water Discharges

The discharger shall investigate the facility to identify all non-storm water discharges and their sources. As part of this investigation, all drains (inlets and outlets) shall be evaluated to identify whether they connect to the storm drain system.

All non-storm water discharges shall be described. This shall include the source, quantity, frequency, and characteristics of the non-storm water discharges and associated drainage area.

Non-storm water discharges that contain significant quantities of pollutants and do not meet the conditions of Order No. 01-2 are prohibited. (Examples of prohibited non-storm water discharges are contact and non-contact cooling water, boiler blowdown, rinse water, wash water, etc.). The SWPPP must include BMPs to prevent or reduce contact of non-storm water discharges with significant materials or equipment.

(6) Soil Erosion

Describe the facility locations where soil erosion may occur as a result of industrial activity, storm water discharges associated with industrial activity, or authorized non-storm water discharges.

- b. The SWPPP shall include a summary of all areas of industrial activities, potential pollutant sources, and potential pollutants. This information should be summarized similar to Table B (see page 11 of 11, below). The last column of Table B, "Control Practices", should be completed in accordance with Section 8., below.

7. Assessment of Potential Pollutant Sources

- a. The SWPPP shall include a narrative assessment of all industrial activities and potential pollutant sources as described in Section 6., above, to determine:
  - (1) Which areas of the facility are likely sources of pollutants in storm water discharges and authorized non-storm water discharges, and
  - (2) Which pollutants are likely to be present in storm water discharges and authorized non-storm water discharges. The discharger shall consider and evaluate various factors when performing this assessment such as current storm water BMPs; quantities of significant materials handled, produced, stored, or disposed of; likelihood of exposure to storm water or authorized non-storm water discharges; history of spill or leaks; and run-on from outside sources.
- b. The discharger shall summarize the areas of the facility that are likely sources of pollutants and the corresponding pollutants that are likely to be present in storm water discharges and authorized non-storm water discharges.

The discharger is required to develop and implement additional BMPs as appropriate and necessary to prevent or reduce pollutants associated with each pollutant source. The BMPs will be narratively described in Section 8., below.

8. Storm Water Best Management Practices

The SWPPP shall include a narrative description of the storm water BMPs to be implemented at the facility for each potential pollutant and its source identified in the site assessment phase (Sections 6. and 7., above). The BMPs shall be developed and implemented to reduce or prevent pollutants in storm water discharges and authorized non-storm water discharges. Each pollutant and its source may require one or more BMPs. Some BMPs may be implemented for multiple pollutants and their sources, while other BMPs will be implemented for a very specific pollutant and its source.

The description of the BMPs shall identify the BMPs as (1) existing BMPs, (2) existing BMPs to be revised and implemented, or (3) new BMPs to be implemented. The description shall also include a discussion on the effectiveness of each BMP to reduce or prevent pollutants in storm water discharges and authorized non-storm water discharges. The SWPPP shall provide a summary of all BMPs implemented for each pollutant source. This information should be summarized similar to Table B.

The discharger shall consider the following BMPs for implementation at the facility:

- a. **Non-Structural BMPs:** Non-structural BMPs generally consist of processes, prohibitions, procedures, schedule of activities, etc., that prevent pollutants associated with industrial activity from contacting with storm water discharges and authorized non-storm water discharges. They are considered low technology, cost-effective measures. The discharger should consider all possible non-structural BMPs options before considering additional structural BMPs (see Section 8.b., below). Below is a list of non-structural BMPs that should be considered:
  - (1) **Good Housekeeping:** Good housekeeping generally consist of practical procedures to maintain a clean and orderly facility.
  - (2) **Preventive Maintenance:** Preventive maintenance includes the regular inspection and maintenance of structural storm water controls (catch basins, oil/water separators, etc.) as well as other facility equipment and systems.
  - (3) **Spill Response:** This includes spill clean-up procedures and necessary clean-up equipment based upon the quantities and locations of significant materials that may spill or leak.
  - (4) **Material Handling and Storage:** This includes all procedures to minimize the potential for spills and leaks and to minimize exposure of significant materials to storm water and authorized non-storm water discharges.
  - (5) **Employee Training:** This includes training of personnel who are responsible for (a) implementing activities identified in the SWPPP, (b) conducting inspections, sampling, and visual observations, and (c) managing storm water. Training should address topics such as spill response, good housekeeping, and material handling procedures, and actions necessary to implement all BMPs identified in the SWPPP. The SWPPP shall identify periodic dates for such training. Records shall be maintained of all training sessions held.
  - (6) **Waste Handling/Recycling:** This includes the procedures or processes to handle, store, or dispose of waste materials or recyclable materials.
  - (7) **Record Keeping and Internal Reporting:** This includes the procedures to ensure that all records of inspections, spills, maintenance activities, corrective actions, visual observations, etc., are developed, retained, and provided, as necessary, to the appropriate facility personnel.
  - (8) **Erosion Control and Site Stabilization:** This includes a description of all sediment and erosion control activities. This may include the planting and maintenance of vegetation, diversion of run-on and runoff, placement of sandbags, silt screens, or other sediment control devices, etc.

- (9) Inspections: This includes, in addition to the preventative maintenance inspections identified above, an inspection schedule of all potential pollutant sources. Tracking and follow-up procedures shall be described to ensure adequate corrective actions are taken and SWPPPs are made.
- (10) Quality Assurance: This includes the procedures to ensure that all elements of the SWPPP and Monitoring Program are adequately conducted.
- b. Structural BMPs: Where non-structural BMPs as identified in Section 8.a., above, are not effective, structural BMPs shall be considered. Structural BMPs generally consist of structural devices that reduce or prevent pollutants in storm water discharges and authorized non-storm water discharges. Below is a list of structural BMPs that should be considered:
  - (1) Overhead Coverage: This includes structures that provide horizontal coverage of materials, chemicals, and pollutant sources from contact with storm water and authorized non-storm water discharges.
  - (2) Retention Ponds: This includes basins, ponds, surface impoundments, bermed areas, etc., that do not allow storm water to discharge from the facility.
  - (3) Control Devices: This includes berms or other devices that channel or route run-on and runoff away from pollutant sources.
  - (4) Secondary Containment Structures: This generally includes containment structures around storage tanks and other areas for the purpose of collecting any leaks or spills.
  - (5) Treatment: This includes inlet controls, infiltration devices, oil/water separators, detention ponds, vegetative swales, etc., that reduce the pollutants in storm water discharges and authorized non-storm water discharges.

9. Annual Comprehensive Site Compliance Evaluation

The discharger shall conduct one comprehensive site compliance evaluation in each reporting period (July 1-June 30). Evaluations shall be conducted within 8-16 months of each other. The SWPPP shall be revised, as appropriate, and the revisions implemented within 90 days of the evaluation. Evaluations shall include the following:

- a. A review of all visual observation records, inspection records, and sampling and analysis results.
- b. A visual inspection of all potential pollutant sources for evidence of, or the potential for, pollutants entering the drainage system.

- c. A review and evaluation of all BMPs (both structural and non-structural) to determine whether the BMPs are adequate, properly implemented and maintained, or whether additional BMPs are needed. A visual inspection of equipment needed to implement the SWPPP, such as spill response equipment, shall be included.
- d. An evaluation report that includes, (1) identification of personnel performing the evaluation, (2) the date(s) of the evaluation, (3) necessary SWPPP revisions, (4) schedule, as required in Section 10.e, below, for implementing SWPPP revisions, (5) any incidents of non-compliance and the corrective actions taken, and (6) a certification that the discharger is in compliance with Order No. 01-2. If the above certification cannot be provided, explain in the evaluation report why the discharger is not in compliance with this order. The evaluation report shall be submitted as part of the annual report, retained for at least five years, and signed and certified in accordance with Section A.18. "Monitoring and Reporting Requirements" of Monitoring and Reporting Program No. 01-2.

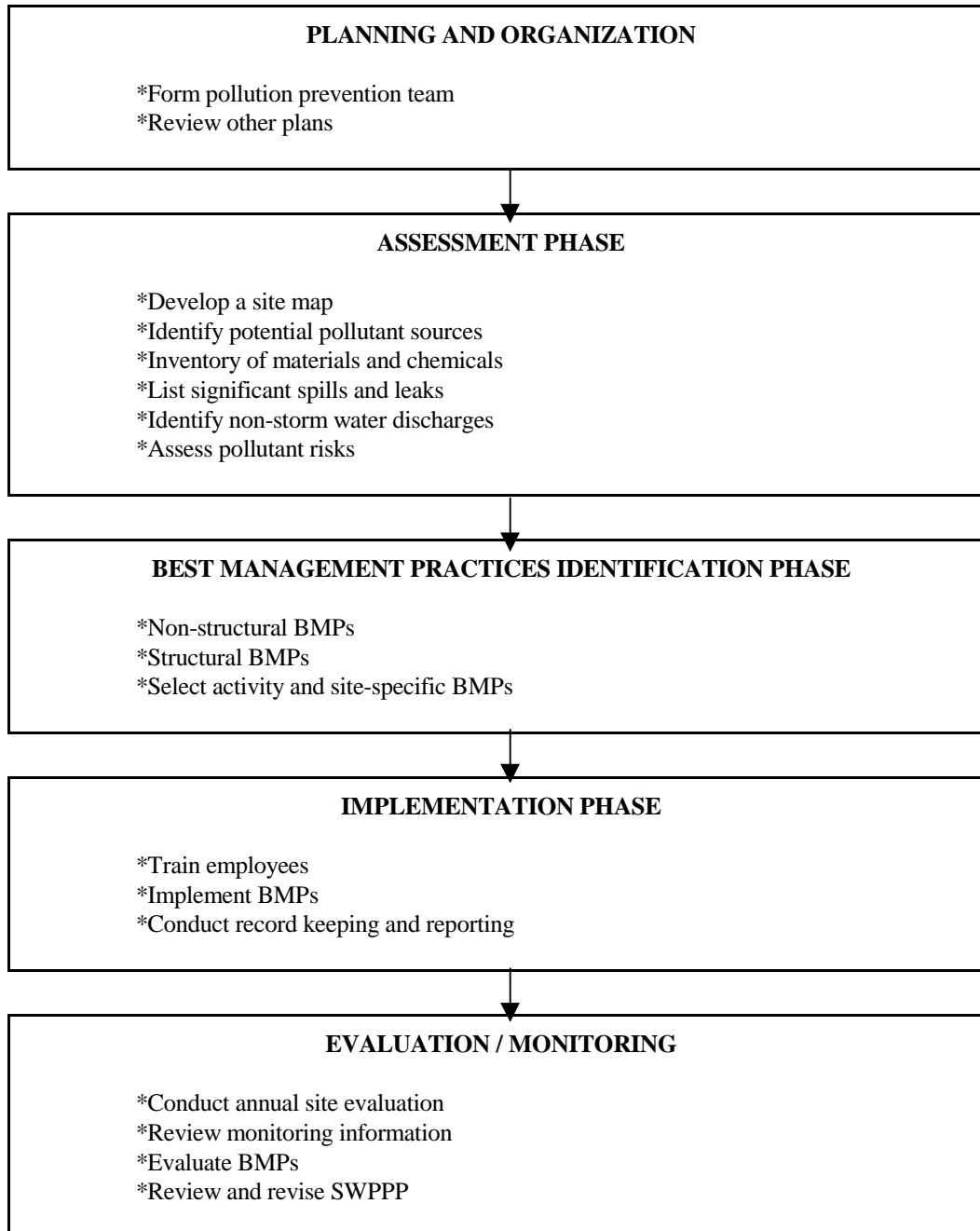
10. SWPPP General Requirements

- a. The SWPPP shall be retained on site and made available upon request by a representative of the Regional Board and/or local storm water management agency (local agency) which receives the storm water discharges.
- b. The Regional Board and/or local agency may notify the discharger when the SWPPP does not meet one or more of the minimum requirements of this section. As requested by the Regional Board and/or local agency, the discharger shall submit a SWPPP revision and implementation schedule that meets the minimum requirements of this section to the Regional Board and/or local agency that requested the SWPPP revisions. Within 14 days after implementing the required SWPPP revisions, the discharger shall provide written certification to the Regional Board and/or local agency that the revisions have been implemented.
- c. The SWPPP shall be revised, as appropriate, and implemented prior to changes in industrial activities which (1) may significantly increase the quantities of pollutants in storm water discharge, (2) cause a new area of industrial activity at the facility to be exposed to storm water, or (3) begin an industrial activity which would introduce a new pollutant source at the facility.
- d. The SWPPP shall be revised and implemented in a timely manner, but in no case more than 90 days after a discharger determines that the SWPPP is in violation of any requirement(s) of Order No. 01-2.

- e. When any part of the SWPPP is infeasible to implement by the deadlines specified in Order No. 01-2, due to proposed significant structural changes, the discharger shall submit a report to the Regional Board prior to the applicable deadline that (1) describes the portion of the SWPPP that is infeasible to implement by the deadline, (2) provides justification for a time extension, (3) provides a schedule for completing and implementing that portion of the SWPPP, and (4) describes the BMPs that will be implemented in the interim period to reduce or prevent pollutants in storm water discharges and authorized non-storm water discharges. Such reports are subject to Regional Board approval and/or modifications. The discharger shall provide written notification to the Regional Board within 14 days after the SWPPP revisions are implemented.
- f. The SWPPP shall be provided, upon request, to the Regional Board. The SWPPP is considered a report that shall be available to the public by the Regional Board under Section 308(b) of the Clean Water Act.

**TABLE A**

**FIVE PHASES FOR DEVELOPING AND IMPLEMENTING INDUSTRIAL  
STORM WATER POLLUTION PREVENTION PLANS**



**Attachment "A"**

Storm Water Pollution Prevention Plan

Regional Plant No. 2

<b>TABLE B</b>  <b>EXAMPLE</b>  <b>ASSESSMENT OF POTENTIAL POLLUTION SOURCES AND CORRESPONDING BEST MANAGEMENT PRACTICES SUMMARY</b>				
AREA	ACTIVITY	POLLUTANT SOURCE	POLLUTANT	BEST MANAGEMENT PRACTICES
Vehicle & equipment fueling	Fueling	Spills and leaks during delivery	Fuel oil	<ul style="list-style-type: none"> <li>- Use spill and overflow protection</li> <li>- Minimize run-on of storm water into the fueling area</li> <li>- Cover fueling area</li> <li>- Use dry cleanup methods rather than hosing down area</li> <li>- Implement proper spill prevention control program</li> <li>- Implement adequate preventative maintenance program to prevent tank and line leaks</li> <li>- Inspect fueling areas regularly to detect problems before they occur</li> <li>- Train employees on proper fueling, cleanup, and spill response techniques.</li> </ul>
		Spills caused by topping off fuel oil	Fuel oil	
		Hosing or washing down fuel area	Fuel oil	
		Leaking storage tanks	Fuel oil	
		Rainfall running off fueling areas, and rainfall running onto and off fueling area	Fuel oil	



California Regional Water Quality Control Board  
Santa Ana Region

MONITORING AND REPORTING PROGRAM NO. 01-2  
NPDES NO. CA0105287

for the

Inland Empire Utilities Agency  
Regional Plant No. 2  
San Bernardino County

Monitoring and Reporting Program No. 01-2  
NPDES NO CA0105287  
Inland Empire Utilities Agency  
Regional Plant No. 2  
San Bernardino County

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Attachment “A” – Practical Quantitation Level

Attachment “B” – Minimum Level List

Attachment “C” – EPA Priority Pollutants List

Attachment “D” – Storm Water Monitoring and Reporting Program

California Regional Water Quality Control Board  
Santa Ana Region

Monitoring And Reporting Program (M&RP) No. 01-2  
NPDES NO. CA0105287

for  
Inland Empire Utilities Agency  
Regional Plant No. 2  
Chino, San Bernardino County

**A. MONITORING AND REPORTING REQUIREMENTS:**

1. All sampling and sample preservation shall be in accordance with the current edition of "*Standard Methods for the Examination of Water and Wastewater*" (American Public Health Association).
2. All laboratory analyses shall be performed in accordance with test procedures under 40 CFR 136 (latest edition) "*Guidelines Establishing Test Procedures for the Analysis of Pollutants*," promulgated by the United States Environmental Protection Agency (EPA), unless otherwise specified in this monitoring and reporting program (M&RP). In addition, the Regional Board and/or EPA, at their discretion, may specify test methods which are more sensitive than those specified in 40 CFR 136.
3. Chemical, bacteriological, and bioassay analyses shall be conducted at a laboratory certified for such analyses by the State Department of Health Services or EPA or at laboratories approved by the Regional Board's Executive Officer.
4. In conformance with federal regulations 40 CFR 122.45(c), analyses to determine compliance with the effluent limitations for metals shall be conducted using the total recoverable method. For Chromium (VI), the dissolved method in conformance with 40 CFR 136 may be used to measure compliance with the Chromium (VI) limitation.
5. For effluent and ambient receiving water monitoring:
  - a. Until July 1, 2001, the discharger shall require its testing laboratory analyzing priority pollutants to quantify each constituent at least down to the Practical Quantitation Levels<sup>1</sup> specified in Attachment "A". Any internal quality control data associated with the sample must be reported when requested by the Executive Officer. The Regional Board will reject the quantified laboratory data if quality control data is unavailable or unacceptable.

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<sup>1</sup>

*PQL is the lowest concentration of a substance which can be determined within  $\pm 20$  percent of the true concentration by 75 percent of the analytical laboratories tested in a performance evaluation study. Alternatively, if performance data are not available, the PQL is the method detection limit (MDL)  $\times 5$  for carcinogens and MDL  $\times 10$  for noncarcinogens.*

- b. By July 1, 2001, the discharger shall require its testing laboratory analyzing priority pollutants to calibrate the analytical system down to the lowest quantifiable concentration in a sample based on the proper application of all method-based analytical procedures and the absence of any matrix interferences. The lowest quantifiable concentration in a sample determined for a specific analytical method established by the testing laboratory shall not be greater than the minimum levels (MLs) <sup>2</sup> specified in Attachment "B" for that specific analytical method, unless an alternative minimum level is approved by the Regional Board's Executive Officer. The July 1, 2001 date may be extended by the Executive Officer provided that good cause is demonstrated by the discharger and provided that any such extension is as short as possible. Any internal quality control data associated with the sample must be reported when requested by the Executive Officer. The Regional Board will reject the quantified laboratory data if quality control data is unavailable or unacceptable.
- c. The discharger shall report the results of analytical determinations for the presence of chemical constituents in a sample using the following reporting protocols:
  - 1) For monitoring data submitted through July 1, 2001:
    - (a) Sample results greater than or equal to the PQL shall be reported as measured by the laboratory (i.e., the measured chemical concentration in the sample).
    - (b) Sample results less than the PQL, but greater than or equal to the laboratory's MDL, shall be reported as "Detected, but Not Quantified," or "DNQ." The estimated chemical concentration of the sample shall also be reported.
    - (c) Sample results not detected above the laboratory's MDL shall be reported as "not detected" or "ND."
  - 2) For monitoring data submitted after July 1, 2001 <sup>3</sup>:
    - (a) Sample results greater than or equal to the reported ML shall be reported as measured by the laboratory (i.e., the measured chemical concentration in the sample).

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<sup>2</sup> Minimum level is the concentration at which the entire analytical system must give a recognizable signal and acceptable point. The ML is the concentration in a sample that is equivalent to the concentration of the lowest calibration standard analyzed by a specific analytical procedure, assuming that all the method specified sample weights, volumes, and processing steps have been followed.

<sup>3</sup> If an extension from this date is authorized by the Executive Officer for one or more constituents, then the requirements specified in paragraph A.5.c.1) above, shall apply to that constituent(s) until the extended date specified by the Executive Officer. After that date, the requirements specified in paragraph A.5.c.2) shall apply.

- (b) Sample results less than the reported ML, but greater than or equal to the laboratory's MDL, shall be reported as "Detected, but Not Quantified," or "DNQ." The estimated chemical concentration of the sample shall also be reported.
    - (c) Sample results not detected above the laboratory's MDL shall be reported as "not detected" or "ND."
  - d. The discharger shall submit to the Regional Board reports necessary to determine compliance with effluent limitations for priority pollutants in this Order and shall follow the chemical nomenclature and sequential order of constituents shown in Attachment "C" – Priority Pollutant Lists. The discharger shall report with each sample result:
    - 1) The PQL or ML achieved by the testing laboratory; and
    - 2) The laboratory's current Method Detection Limit (MDL)<sup>4</sup>, as determined by the procedure found in 40 CFR 136 (revised as of May 14, 1999).
- 6. For non-priority pollutants monitoring, all analytical data shall be reported with identification of practical quantitation levels and with method detection limits, as determined by the procedure found in 40 CFR 136 (revised as of May 14, 1999).
- 7. The discharger shall have, and implement an acceptable written quality assurance (QA) plan for laboratory analyses. Duplicate chemical analyses must be conducted on a minimum of ten percent (10%) of the samples, or at least one sample per month, whichever is greater. A similar frequency shall be maintained for analyzing spiked samples. When requested by the Regional Board or EPA, the discharger will participate in the NPDES discharge monitoring report QA performance study.
- 8. Discharge monitoring data shall be submitted in a format acceptable by the Regional Board and EPA. Specific reporting format may include preprinted forms and/or electronic media. The results of all monitoring required by this Order shall be reported to the Regional Board, and shall be submitted in such a format as to allow direct comparison with the limitations and requirements of this Order. The hard copy of submitted reports shall serve as the official submittal.
- 9. The discharger shall tabulate the monitoring data to clearly illustrate compliance and/or noncompliance with the requirements of the Order.

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*MDL is the minimum concentration of a substance that can be measured and reported with 99 percent confidence that the analyte concentration is greater than zero, as defined in 40 CFR 136, Appendix B, revised as of May 14, 1999.*

10. The discharger shall multiply each measured or estimated congener concentration by its respective toxic equivalency factor (TEF) as shown below and report the sum of these values. The discharger shall use the U.S. EPA approved test method 1613 for dioxins and furans.

Toxic Equivalency Factors for 2,3,7, 8-TCDD Equivalents	
Congener	TEF
2,3,7,8-TetraCDD	1
1,2,3,7,8-PentaCDD	1.0
1,2,3,4,7,8-HexaCDD	0.1
1,2,3,6,7,8-HexaCDD	0.1
1,2,3,7,8,9-HexaCDD	0.1
1,2,3,4,6,7,8-HeptaCDD	0.01
OctaCDD	0.0001
2,3,7,8-TetraCDF	0.1
1,2,3,7,8-PentaCDF	0.05
2,3,4,7,8-PentaCDF	0.5
1,2,3,4,7,8-HexaCDF	0.1
1,2,3,6,7,8-HexaCDF	0.1
1,2,3,7,8,9-HexaCDF	0.1
2,3,4,6,7,8-HexaCDF	0.1
1,2,3,4,6,7,8-HeptaCDF	0.01
1,2,3,4,7,8,9-HeptaCDF	0.01
OctaCDF	0.0001

11. For every item of monitoring data where the requirements are not met, the monitoring report shall include a statement discussing the reasons for noncompliance, and of the actions undertaken or proposed which will bring the discharge into full compliance with requirements at the earliest time, and an estimate of the date when the discharger will be in compliance. The discharger shall notify the Regional Board by letter when compliance with the time schedule has been achieved.
12. The reports for June and December shall include a roster of plant personnel, including job titles, duties, and level of State certification for each individual.
13. By April 1 of each year, the discharger shall submit an annual report to the Regional Board. The report shall contain both tabular and graphical summaries of the monitoring data obtained during the previous year. In addition, the discharger shall discuss the compliance record and the corrective actions taken or planned which may be needed to bring the discharge into full compliance with the waste discharge requirements. The annual report shall include a summary of the quality assurance (QA) activities for the previous year.

14. The discharger shall assure that records of all monitoring information are maintained and accessible for a period of at least five years from the date of the sample, report, or application. This period of retention shall be extended during the course of any unresolved litigation regarding this discharge or by the request of the Regional Board at any time. Records of monitoring information shall include:
  - a. The date, exact place, and time of sampling or measurements;
  - b. The individual(s) who performed the sampling, and/or measurements;
  - c. The date(s) analyses were performed;
  - d. The laboratory which performed the analyses,
  - e. The individual(s) who performed the analyses;
  - f. The analytical techniques or methods used;
  - g. All sampling and analytical results;
  - h. All monitoring equipment calibration and maintenance records;
  - i. All original strip charts from continuous monitoring devices;
  - j. All data used to complete the application for this Order; and
  - k. Copies of all reports required by this Order.
  - l. Electronic data. and information generated by the Supervisory Control And Data Acquisition (SCADA) System.
15. The flow measurement system shall be calibrated at least once per year or more frequently, to ensure continued accuracy.
16. All monitoring instruments and devices used by the discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary to ensure their continued accuracy. In the event that continuous monitoring equipment is out of service for greater than a 24 hour period, the discharger shall obtain a representative grab sample each day the equipment is out of service. The discharger shall correct the cause(s) of failure of the continuous monitoring equipment as soon as practicable. In its monitoring report, the discharger shall specify the period(s) during which the equipment was out of service and if the problem has not been corrected, shall identify the steps which the discharger is taking or proposes to take to bring the equipment back into service and the schedule for these actions.
17. Monitoring and reporting shall be in accordance with the following:
  - a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
  - b. The monitoring and reporting of influent, effluent, and sludge shall be done, at a minimum, on an annual basis, and more frequently, depending on the nature and effect of the sewage sludge use or disposal practice, or as specified in this Order.
  - c. All monitoring, including that of sludge use or disposal, must be conducted according to test procedures approved under 40 CFR 136 or as specified in this Order.

- d. The results of any analysis of samples taken more frequently than required at the locations specified in this M&RP shall be reported to the Regional Board.
- e. A "grab" sample is defined as any individual sample collected in less than 15 minutes.
- f. A composite sample is defined as a combination of no fewer than eight individual grab samples obtained over the specified sampling period. The volume of each individual grab sample shall be proportional to the discharge flow rate at the time of sampling. The compositing period shall equal the specific sampling period, or 24 hours, if no period is specified.
- g. Daily samples shall be collected on each day of the week.
- h. Monthly samples shall be collected on any representative day of each month.
- i. Quarterly samples shall be collected in March, June, September, and December.
- j. Semi-annual samples shall be collected in June and December.
- k. Annual samples shall be collected in accordance with the following schedule:

Year	Annual samples
2001	April
2002	July
2003	October
2004	January
2005	April

- 18. All reports shall be signed by either a principal executive officer or ranking elected or appointed official or a duly authorized representative of a principal executive officer or ranking elected or appointed official. A duly authorized representative of a principal executive officer or ranking elected or appointed official may sign the reports only if;
  - a. the authorization is made in writing by a principal executive officer or ranking elected or appointed official,
  - b. the authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, superintendent, or position of equivalent responsibility. (A duly authorized representative may thus be either a named individual or any individual occupying a named position), and
  - c. the written authorization is submitted to the Regional Board.

Each person signing a report required by this Order or other information requested by the Regional Board shall make the following certification:



*" I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate<sup>5</sup>, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."*

19. The discharger, unless otherwise specified elsewhere in this M&RP, shall deliver a copy of each monitoring report in the appropriate format to:

- a. California Regional Water Quality Control Board  
Santa Ana Region  
3737 Main Street, Suite 500  
Riverside, CA 92501-3348, and
- b. NPDES/DMR  
CWA Compliance Office, WTR-7  
Water Division  
75 Hawthorne Street  
San Francisco, CA 94105

**B. INFLUENT MONITORING:**

- 1. Sampling stations shall be established and located upstream of any in-plant return flows and where a representative sample of the influents to the treatment facility can be obtained. The date and time of sampling (as appropriate) shall be reported with the analytical values determined.
- 2. The following shall constitute the influent monitoring program:

Constituent	Units	Type of Sample	Minimum Frequency of Sampling & Analysis
Flow	mgd	Recorder/Totalizer	Continuous
Specific Conductance	µmhos/cm	Recorder	"
pH	pH units	Recorder	Continuous
TOC	mg/l	Composite	Weekly

<sup>5</sup>

*For the purposes of this certification the term "accurate" refers to the veracity of the information submittal and not to the performance characteristics of the measurement system.*

Constituent	Units	Type of Sample	Minimum Frequency of Sampling & Analysis
Suspended Solids	mg/l	Composite	Weekly
Total Dissolved Solids	"	Composite	"
Ammonia-Nitrogen	"	Grab	"
Total Inorganic Nitrogen	mg/l	"	Weekly
Bis (2-ethylhexyl) phthalate	µg/l	"	Monthly
Chlorpyrifos	"	"	"
Diazinon	"	"	"
Hexachlorocyclohexane - gamma	"	"	Monthly
Boron	mg/l	Composite	Quarterly
Chloride	"	"	"
Fluoride	"	"	"
Sulfate	"	"	"
Total Hardness	mg/l	"	"
Arsenic	µg/l	"	"
Cadmium	"	"	"
Total Chromium	"	"	"
Copper	"	"	"
Lead	"	"	"
Mercury	"	"	"
Nickel	"	"	"
Silver	"	"	"
Zinc	"	"	"

Constituent	Units	Type of Sample	Minimum Frequency of Sampling & Analysis
Cyanide (Free)	µg/l	Grab	Quarterly
Volatile organic portion of remaining EPA Priority Pollutants <sup>6</sup> (See Attachment "C")	µg/l	Grab	Annually
Remaining EPA Priority Pollutants <sup>7</sup> (See Attachment "C")	µg/l	Composite	Annually

**c. EFFLUENT MONITORING:**

1. Sampling station(s) shall be established at the point(s) of discharge and shall be located where representative samples of the effluent can be obtained.
2. The following shall constitute the effluent monitoring program for the discharge of tertiary treated wastewater without 20:1 dilution:

Constituent	Units	Type of Sample	Minimum Frequency of Analysis
Flow	mgd	Recorder/Totalizer	Continuous
Specific Conductance	µmhos/cm	Recorder	"
pH	pH units	"	"
Chlorine (Combined Residual)	mg/l	"	"
Turbidity	NTU	"	"
Coliform Organisms	MPN per 100 ml	Grab	Daily
TOC	mg/l	Composite	Daily
Temperature	°C	Grab	Weekly
BOD	mg/l	Composite	Weekly
Suspended Solids	"	Composite	Weekly
Ammonia-Nitrogen	"	Grab	Weekly
Toxicity Monitoring	----	(See Section D., Below)	(See Section D., Below)
Bicarbonate	mg/l	Composite	Monthly

<sup>6</sup> Remaining EPA priority pollutants are those pollutants listed in Attachment "C" which are not specifically listed in the monitoring program table.

<sup>7</sup> Remaining EPA priority pollutants are those pollutants listed in Attachment "C" which are not volatile organics and pollutants not specifically listed in this monitoring program table.

Constituent	Units	Type of Sample	Minimum Frequency of Analysis
Boron	mg/l	Composite	Monthly
Calcium	"	"	"
Carbonate	"	"	"
Chloride	"	"	"
Fluoride	"	"	"
Magnesium	"	"	"
Nitrate	"	"	"
Sodium	"	"	"
Sulfate	"	"	"
Total Dissolved Solids	"	"	"
Total Hardness	"	"	"
Total Inorganic Nitrogen	mg/l	"	"
Iron	µg/l	Composite	Monthly
Manganese	"	"	"
Cadmium	"	"	"
Chromium (VI) or Total Chromium	"	"	"
Copper	"	"	"
Lead	"	"	"
Mercury	"	"	"
Selenium	"	"	"
Silver	"	"	"
Zinc	"	"	"
Bis (2-ethylhexyl) phthalate	"	Grab	"
Bromodichloromethane	"	"	"
Chloroform	"	"	"
Dibromochloromethane	"	"	"
Hexachlorocyclohexane-gamma	µg/l	"	Monthly
Cyanide (Free)	mg/l	Grab	Quarterly (see C.5., below)
Halomethanes <sup>8</sup>	µg/l	Grab	"
Arsenic	µg/l	Composite	"
Barium	"	"	"
Benzene	"	"	"
Cobalt	"	"	"
Nickel	"	"	"
Phenol	"	"	"
Acrylonitrile	"	"	"
Benzidine	"	"	"

<sup>8</sup>

*Halomethanes shall mean the sum of bromoform, bromomethane (methyl bromide), chloromethane (methyl chloride), chlorodibromomethane, and dichlorobromomethane.*

Constituent	Units	Type of Sample	Minimum Frequency of Analysis
Benzo (a) anthracene	µg/l	Composite	Quarterly (see C.5., below)
Benzo (a) pyrene	"	"	"
Benzo (b) fluoranthene	"	"	"
Benzo (k) fluorantene	"	"	"
Chrysene	"	"	"
Dibenzo (a,h) anthracene	"	"	"
3,3-Dichlorobenzidine	"	"	"
1,2-Diphenylhydrazine	"	"	"
Hexachlorobenzene	"	"	"
Indeno(1,2,3-cd)Pyrene	"	"	"
Aldrin	"	"	"
BHC Alpha	"	"	"
Chlordane	"	"	"
4,4-DDT	"	"	"
4,4-DDE	"	"	"
4,4-DDD	"	"	"
Dieldrin	"	"	"
Endrin	"	"	"
Endrin aldehyde	"	"	"
Heptachlor	"	"	"
Heptachlor Epoxide	"	"	"
PCB 1016	"	"	"
PCB 1221	"	"	"
PCB 1232	"	"	"
PCB 1242	"	"	"
PCB 1248	"	"	"
PCB 1254	"	"	"
PCB 1260	"	"	"
Toxaphene	"	"	"
2,3,7,8-TetraCDD	pg/l (parts-per-quadrillion)	Composite	Semi-annual (see A.10. & A.17.j.)
1,2,3,7,8-PentaCDD	"	"	"
1,2,3,4,7,8-HexaCDD	"	"	"
1,2,3,6,7,8-HexaCDD	"	"	"
1,2,3,7,8,9-HexaCDD	"	"	"
1,2,3,4,6,7,8-HeptaCDD	"	"	"
OctaCDD	"	"	"
2,3,7,8-TetraCDF	"	"	"
1,2,3,7,8-PentaCDF	"	"	"
2,3,4,7,8-PentaCDF	"	"	"
1,2,3,4,7,8-HexaCDF	"	"	"
1,2,3,6,7,8-HexaCDF	"	"	"
1,2,3,7,8,9-HexaCDF	"	"	"

Constituent	Units	Type of Sample	Minimum Frequency of Analysis
2,3,4,6,7,8-HexaCDF	pg/l (parts-per-quadrillion)	Composite	Semi-annual (see A.10. & A.17.j.)
1,2,3,4,6,7,8-HeptaCDF	"	"	"
1,2,3,4,7,8,9-HeptaCDF	"	"	"
OctaCDF	pg/l (parts-per-quadrillion)	Composite	Semi-annual (see A.10 & A.17.j.)
Volatile organic portion of remaining EPA Priority Pollutants <sup>6</sup> (See Attachment "C")	µg/l	Grab	Annually (see C.6., below)
Remaining EPA Priority Pollutants <sup>7</sup> (See Attachment "C")	µg/l	Composite	Annually (see C.6., below)

3. The following shall constitute the effluent monitoring program for the discharge of secondary treated and disinfected wastewater when 20:1 dilution is present in the receiving water:

FOR DISCHARGES WHEN 20:1 DILUTION IS PRESENT IN THE RECEIVING WATERS			
Constituent	Units	Type of Sample	Minimum Frequency of Sampling and Analysis
Flow	MGD	Recorder/Totalizer	Continuous
Suspended Solids	mg/l	grab	Daily
BOD	"	"	"
pH	pH units	"	"
Total Coliform	MPN	grab	Daily

4. Whenever there is a discharge of secondary treated and disinfected wastewater, the discharger shall submit documentation that 20:1 dilution existed in Santa Ana River at the time of the discharge. Documentation shall include the date(s), time(s), and duration(s) of the discharge, the corresponding flow in the receiving stream during the discharge, and the climatic condition in the area during the discharge. This documentation shall be submitted with the required monthly report.

5. The monitoring frequency for those priority pollutants that are detected during the required quarterly monitoring at a concentration greater than fifty percent of the most stringent applicable receiving water objectives (freshwater or human health (consumption of organisms only) as specified for that pollutant<sup>9</sup> in 40 CFR 131.38<sup>10</sup>) shall be accelerated to monthly. To return to the monitoring frequency specified, the discharger shall request and receive approval from the Regional Board's Executive Officer or designee.
6. The monitoring frequency for those priority pollutants that are detected during the required annual monitoring at a concentration greater than fifty percent of the most stringent applicable receiving water objectives (freshwater or human health (consumption of organisms only) as specified for that pollutant<sup>9</sup> in 40 CFR 131.38<sup>10</sup>) shall be accelerated to quarterly for one year following detection. To return to the monitoring frequency specified, the discharger shall request and receive approval from the Regional Board's Executive Officer or designee.

**D. TOXICITY MONITORING REQUIREMENTS:**

1. The discharger shall conduct critical life stage chronic toxicity testing in accordance with Method 1002.0 - Survival and Reproduction test for water flea, *Ceriodaphnia dubia* as specified in "Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms", third edition, Environmental Monitoring Systems Laboratory, U.S. Environmental Protection Agency 1994, Cincinnati, Ohio (July 1994, EPA/600/4-91/002).
2. The discharger shall establish procedures to ensure that the toxicity testing laboratory notifies the discharger of the results of toxicity testing within twenty-four hours of completing such tests.
3. A minimum of one monthly chronic toxicity test shall be conducted on 24 hour composite samples.
4. The discharger shall increase the frequency of chronic toxicity testing to every two weeks whenever any test result exceeds 1.0 TUc. The first test under the accelerated schedule shall be conducted within two weeks of receiving notice of the test which exceeds 1.0 TUc, and every two weeks thereafter. The discharger may resume the regular test schedule when two consecutive chronic toxicity tests result in 1.0 TUc, or when the results of the Initial Investigation Reduction Evaluation conducted by the discharger have adequately addressed the identified toxicity problem .
5. The presence of chronic toxicity shall be estimated as specified in Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms. Third Edition. EPA/600/4-91/002.

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<sup>9</sup> For those priority pollutants without specified criteria values, accelerated monitoring is not required.

<sup>10</sup> See Federal Register/ Vol. 65, No. 97 / Thursday, May 18, 2000 / Rules and Regulations.

6. Results for both survival and reproduction endpoints shall be reported in  $TU_c$ , where  $TU_c = 100/NOEC$  or  $100/IC_p$  or  $EC_p$  ( $p$  is the percent effluent). The no observed effect concentration (NOEC) is the highest concentration of toxicant to which organisms are exposed in a chronic test, that causes no observable adverse effect on the tests organisms (e.g., the highest concentration of toxicant to which the values for the observed responses are not statistically significant different from the controls). The inhibition concentration (IC) is a point estimate of the toxicant concentration that causes a given percent reduction in a non-quantal biological measurement (e.g., reproduction or growth) calculated from a continuous model (the EPA Interpolation Method). The effective concentration (EC) is a point estimate of the toxicant concentration that would cause a given percent reduction in quantal biological measurement (e.g., larval development, survival) calculated from a continuous model (e.g., probit).
7. Additional Testing Requirements.
  - a. A series of at least five dilutions and a control will be tested. The series shall be within 60% to 100% effluent concentration.
  - b. If organisms are not cultured in-house, concurrent testing with reference toxicants shall be conducted. Where organisms are cultured in-house, monthly reference toxicant testing is sufficient. Reference toxicants shall also be conducted using the same test conditions as the effluent toxicity test (e.g., same test duration, etc).
  - c. If either of the reference toxicant test or the effluent tests do not meet all test acceptability criteria as specified in the manual<sup>11</sup>, then the discharger must re-sample and re-test within 14 days or as soon as the discharger receives notification of failed tests.
  - d. Control and dilution water should be receiving water or lab water, as appropriate, as described in the manual. If the dilution water used is different from the culture water, a second control, using culture water shall also be used.
8. Quality Assurance/Control:
  - a. A quality assurance/quality control (QA/QC) program shall be instituted to verify the results of the effluent toxicity monitoring program. The QA/QC program shall include but shall not be limited to the following: (1) Selection of an independent testing laboratory; (2) Approval by the Regional Board's Executive Officer or Executive Officer's designee of the independent testing laboratory; (3) Once during the year, the discharger shall split samples with the independent laboratory for conducting chronic toxicity testing; (4) Results from the independent laboratory shall be submitted to the Regional Board and the discharger for evaluation; (5) The discharger shall review the test acceptability criteria in accordance with the EPA test protocols, EPA/600/4-91/002.

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*Refers to USEPA Manual "Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms. Third Edition. EPA/600/4-91/002."*



- b. Results from the independent laboratory of the annual QA/QC split samples are to be used for Quality Assurance/Quality Control (QA/QC) purposes only and not for purposes of determining compliance with other requirements of this Order.
9. The use of alternative methods for measuring chronic toxicity may be considered by the Executive Officer on a case-by-case basis. The use of a different test species, in lieu of conducting the required test species may be considered/approved by the Executive Officer on a case-by case basis upon submittal of the documentation supporting discharger's determination that a different species is more sensitive and appropriate.
10. Reporting: Results of all toxicity testing conducted within the month following the reporting period shall be submitted monthly in accordance with "Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms", third edition, Environmental Monitoring Systems Laboratory, U.S. Environmental Protection Agency 1994, Cincinnati, Ohio (July 1994, EPA/600/4-91/002). The report shall include a determination of the median value of all chronic toxicity testing results conducted during the two previous months.
11. Whenever an Initial Investigation Reduction Evaluation is conducted, the results of the evaluation shall be submitted upon completion. In addition, monthly status reports shall be submitted as part of the discharger's monitoring report for the previous month.

**E. BIOSOLIDS MONITORING:**

1. Biosolids monitoring shall be conducted as follows:

Biosolids Monitoring	Units	Type of Sample	Minimum Frequency of Sampling
Priority Pollutants	mg/kg	Grab	Semi-annually
Moisture Content (% solid)	mg/kg	Grab	Quarterly

2. The discharger shall maintain a permanent log of solids hauled away from the treatment facilities for use/disposal elsewhere, including the date hauled, the volume or weight (in dry tons), type (screening, grit, raw sludge, biosolids), and destination. This information shall be reported quarterly.

**F. STORMWATER MONITORING:**

1. The discharger shall comply with Attachment "D", Storm Water Monitoring and Reporting Requirements.

**G. RECEIVING WATER MONITORING:**

1. The following receiving water stations shall be monitored for the indicated constituents:

<b>Station A:</b> Chino Creek at suitable location within 100 feet upstream of the point of discharge.			
<b>Station B:</b> Chino Creek within 500 feet downstream of the point of discharge.			
Constituent	Unit	Type of Sample	Minimum Frequency of Analysis
Dissolved Oxygen	mg/l	Grab	Weekly
Dissolved Oxygen	"	"	"
Temperature	EC	"	"
pH	pH units	"	"
A check for the presence of any color changes, foam, deposition of material, or odor in the receiving water from the discharge shall be made daily at station B.			

2. At station A, all the priority pollutants listed in Attachment "C" shall be monitored quarterly. A grab sample shall be taken, analyzed and test results shall be reported in micrograms/liter (ug/l) by the last day of the month following the monitoring period.
3. Unless otherwise directed by the Regional Board Executive Officer, the discharger shall implement the approved plan for the annual sampling and testing of mercury levels in fish flesh samples collected from the Santa Ana River (see Section H.2. of the Order). The frequency of monitoring and submission of reports shall be as stipulated in the approved plan.

**H. WATER SUPPLY MONITORING:**

1. In August of each year, a sample of each source of the water supplied to the sewered area shall be obtained and analyzed for the following constituents:

Boron	Specific Conductance
Chloride	Sodium
Nitrate	Total Dissolved Solids
pH	Total Hardness

2. All of the above constituents shall be expressed in "mg/l" except specific conductance and pH, which shall be expressed in "micromhos/cm" and "pH units," respectively.
3. Monthly reports shall be submitted stating the amount (in percentage or acre-feet) supplied to the sewered area from each source of water and the resulting flow-weighted water supply quality for constituents specified in Section H.1. above.

**I. PRETREATMENT MONITORING AND REPORTING:**

1. The discharger shall submit to the Regional Board, the State Water Resources Control Board and the EPA Region 9, a quarterly compliance status report. The quarterly compliance status reports shall cover the periods January 1 - March 31, April 1 - June 30, July 1 - September 30, and October 1 -December 31. Each report shall be submitted by the end of the month following the quarter, except that the report for April 1 – June 30 may be included in the annual report. This quarterly reporting requirement shall commence for the first full quarter following issuance of this Order. The reports shall identify:
  - a. All significant industrial users (SIUs) which violated any standards or reporting requirements during that quarter;
  - b. The violations committed (distinguish between categorical and local limits);
  - c. The enforcement actions undertaken; and
  - d. The status of active enforcement actions from previous periods, including closeouts (facilities under previous enforcement actions which attained compliance during the quarter).
2. Annually, the discharger shall submit a report to the Regional Board, the State Water Resources Control Board and the EPA Region 9 describing the pretreatment activities within the service area during the previous year. In the event that any control authority within the service area is not in compliance with any conditions or requirements of this Order or their approved pretreatment program (such as due to industrial user discharges, inter-jurisdictional agency agreement implementation issues, or other causes,) then the discharger shall also include the reasons for non-compliance and state how and when the discharger and the control authority shall comply with such conditions and requirements. This annual report shall cover operations from July 1 through June 30 of each fiscal year and is due on September 1 of each year. The report shall contain, but not be limited to, the following information:
  - a. A summary of analytical results from representative, flow-proportioned, 24-hour composite sampling of the POTW's influent and effluent wastewaters for those pollutants which are known or suspected to be discharged by industrial users (IUs) as identified by EPA under Section 307(a) of the CWA. The summary will include the result of annual full priority pollutant scan, with quarterly samples analyzed only for those pollutants<sup>12</sup> detected in the full scan. The discharger shall also provide any influent or effluent monitoring data for non-priority pollutants which the discharger believes may be causing or contributing to Interference, Pass Through or adversely impacting sludge quality. Sampling and analysis shall be performed in accordance with the techniques prescribed in 40 CFR 136 and amendments thereto.

- b. A discussion of any upset, interference, or pass-through incidents at the treatment plant (if any), which the discharger knows or suspects were caused by IUs of the POTW system. The discussion shall include the following:
  - 1) The reasons why the incidents occurred, the corrective actions taken, and, if known, the name and address of the IU(s) responsible.
  - 2) A review of the applicable pollutant limitations to determine whether any additional limitations, or changes to existing requirements, may be necessary to prevent pass through, interference or noncompliance with sludge disposal requirements.
- c. A complete and updated list of the discharger's significant industrial users (SIUs), including names, Standard Industrial Classification (SIC) code(s) and addresses, and a list of any SIU deletions and/or additions. The discharger shall provide a brief explanation for each deletion. The SIU list shall identify the SIUs subject to Federal Categorical Standards by specifying which set(s) of standards are applicable to each SIU. The list shall also indicate which SIUs are subject to local limitations more stringent than Federal Categorical Standards and those which are not subject to local limits.
- d. A list or table characterizing the industrial compliance status of each SIU, including:
  - 1) SIU name;
  - 2) Industrial category;
  - 3) The type (processes) of wastewater treatment in place;
  - 4) Number of samples taken by the POTW during the year;
  - 5) Number of samples taken by the SIU during the year;
  - 6) Whether all needed certifications (if allowed) were provided by SIUs which have limits for total toxic organics;
  - 7) Federal and Regional Standards violated during the year, reported separately;
  - 8) Whether the SIU at any time in the year was in Significant Noncompliance (SNC)<sup>13</sup>, as defined by 40 CFR 403.12 (f)(2)(vii); and
  - 9) A summary of enforcement actions against the SIU taken during the year, including the type of action, final compliance date, and amount of fines assessed/collected (if any). Proposed actions, if known, should be included.
  - 10) Number of inspections conducted at each SIU during the year.
- e. A compliance summary table which includes:
  - 1) SIUs which were in SNC at any time during the year;
  - 2) The total number of SIUs which are in SNC with pretreatment compliance schedules during the year;

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*SNC is determined at the beginning of each quarter based on data of the previous six months.*

- 3) The total number of notices of violation and administrative orders issued against SIUs during the year;
    - 4) The total number of civil and criminal judicial actions filed against SIUs during the year;
    - 5) The number of SIUs which were published as being in SNC during the year; and
    - 6) The number of IUs from which penalties were collected during the year.
  - f. A short description of any significant changes in operating the pretreatment program which differ from the previous year including, but not limited to changes concerning:
    - 1) the program's administrative structure;
    - 2) local industrial discharge limitations;
    - 3) monitoring program or monitoring frequencies;
    - 4) legal authority or enforcement policy;
    - 5) funding mechanisms; and
    - 6) resource requirements and/or staffing levels.
  - g. A summary of the annual pretreatment budget, including the cost of pretreatment program functions and equipment purchases.
  - h. A summary of public participation activities to involve and inform the public.
  - i. A description of any changes in sludge disposal methods and a discussion of any concerns not described elsewhere in the report.
  - j. The number of industrial users that the discharger has notified regarding Baseline Monitoring Reports and the number of industrial user responses.
  - k. A summary of activities conducted implementing and enforcing inter-jurisdictional agreements between the contracting agencies.
3. The discharger shall submit the quarterly compliance status reports and the annual pretreatment report to EPA Region 9, the State Board and the Regional Board at the following addresses:
- a. Regional Administrator  
U.S. Environmental Protection Agency  
Region 9 - Attention WTR-7  
75 Hawthorne Street  
San Francisco, CA 94105
  - b. State Water Resources Control Board  
Division of Water Quality, Pretreatment Unit  
P.O. Box 944213  
Sacramento, CA 94244-2130

c. Gerard J. Thibeault, Executive Officer  
California Regional Water Quality Control Board  
Santa Ana Region  
3737 Main Street, Suite 500  
Riverside, CA 92501-3348

**J. REPORTING:**

1. Monitoring reports shall be submitted by the dates in the following schedule:

Report	Reporting period	Report Due Date
Influent and effluent constituents	Monthly	By the 30th day of the month following the monitoring period
Receiving Water Monitoring	"	"
Toxicity Testing	See Section D., above	By the 30th day of the month following the monitoring period
Quarterly Pretreatment Reporting	See Section I.1., above	"
Water Supply Quality	Monthly	By the 60th day of the month following the monitoring period
Annual Pretreatment Reporting	See Section I.2., above	September 1, each year
Annual Report per Section A.13., above	See Section A.13., above	April 1, each year
Annual Water Supply Parameters from each source	Annually	April 30 of each year

2. The following reports shall also be submitted by the dates indicated:

REQUIRED REPORTS OF ORDER NO. 01-2	
Report	Report Due Date
Report per Section H.2.	April 2, 2001
Report per Section H.3.	April 2, 2001
Report per Section H.4.	April 2, 2001

REQUIRED REPORTS OF ORDER NO. 01-2	
Report	Report Due Date
Report per Section H.5.	April 2, 2001
Report per Section H.6.	July 1, 2001
Report per Section H.7.	July 1, 2001
Report per Section H.8.	July 1, 2001
Report per Section H.9.	See Section H.9. of the Order
Report per Section H.10.	See Section H.10. of the Order
Report per Section H.11.	See Section H.11. of the Order
Report per Section H.12.	90-days after effective date of the Order (see Section H.12. of the Order)
Report of Waste Discharge per Section H.13.	180-days before any plant changes (see Section H.13. of the Order)
Non-compliance Reporting per Section H.14.	within 24-hours followed by a written report within 5-days (see Section H.14. of the Order)
This table attempts to summarize all of the special reports that are required to be submitted in accordance with Order No. 01-2; however, the omission of a report from this table does not absolve the discharger from the requirement to submit that report.	

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Gerard J. Thibeault  
Executive Officer

January 19, 2001

PRACTICAL QUANTITATION LEVELS FOR COMPLIANCE DETERMINATION			
	Constituent	RL µg/l	Analysis Method
1	Arsenic	7.5	GF/AA
2	Barium	20	ICP/GFAA
3	Cadmium	15	ICP
4	Chromium (VI)	15.0	ICP
5	Cobalt	10.0	GF/AA
6	Copper	19.0	GF/ICP
7	Cyanide	50.0	335.2/335.3
8	Iron	100.0	ICP
9	Lead	26.0	GF/AA
10	Manganese	20.0	ICP
11	Mercury	0.5	CV/AA
12	Nickel	50.0	ICP
13	Selenium	14.0	GF/HYDRIDE GENERATION
14	Silver	16.0	ICP
15	Zinc	20	ICP
16	1,2 - Dichlorobenzene	5.0	601/602/624
17	1,3 - Dichlorobenzene	5.0	601
18	1,4 - Dichlorobenzene	5.0	601
18	2,4 - Dichlorophenol	10.0	625/604
20	4 - Chloro -3- methylphenol	10.0	625/604
21	Aldrin	0.04	608
22	Benzene	1.0	602/624
23	Chlordane	0.30	608
24	Chloroform	5.0	601/624
25	DDT	0.10	608
26	Dichloromethane	5.0	601/624
27	Dieldrin	0.10	608
28	Fluorantene	10.0	625/610
29	Endosulfan	0.50	608
30	Endrin	0.10	608
31	Halomethanes	5.0	601/624
32	Heptachlor	0.03	608
33	Hepthachlor Epoxide	0.05	608
34	Hexachlorobenzene	10.0	625
35	Hexachlorocyclohexane		
	Alpha	0.03	608
	Beta	0.03	608
	Gamma	0.03	608
36	PAH's	10.0	625/610
37	PCB	1.0	608
38	Pentachlorophenol	10.0	625/604
39	Phenol	10.0	625/604
40	TCDD Equivalent	0.05	8280
41	Toluene	1.0	602/625
42	Toxaphene	2.0	608
43	Tributyltin	0.02	GC
44	2,4,6-Trichlorophenol	10.0	625/604



EPA PRIORITY POLLUTANT LIST		
Metals	Acid Extractibles	Base/Neutral Extractibles (continuation)
1. Antimony	45. 2-Chlorophenol	91. Hexachloroethane
2. Arsenic	46. 2,4-Dichlorophenol	92. Indeno (1,2,3-cd) Pyrene
3. Beryllium	47. 2,4-Dimethylphenol	93. Isophorone
4. Cadmium	48. 2-Methyl-4,6-Dinitrophenol	94. Naphthalene
5a. Chromium (III)	49. 2,4-Dinitrophenol	95. Nitrobenzene
5b. Chromium (VI)	50. 2-Nitrophenol	96. N-Nitrosodimethylamine
6. Copper	51. 4-Nitrophenol	97. N-Nitrosodi-N-Propylamine
7. Lead	52. 3-Methyl-4-Chlorophenol	98. N-Nitrosodiphenylamine
8. Mercury	53. Pentachlorophenol	99. Phenanthrene
9. Nickel	54. Phenol	100. Pyrene
10. Selenium	55. 2, 4, 6 - Trichlorophenol	101. 1,2,4-Trichlorobenzene
11. Silver	Base/Neutral Extractibles	Pesticides
12. Thallium	56. Acenaphthene	102. Aldrin
13. Zinc	57. Acenaphthylene	103. Alpha BHC
Miscellaneous	58. Anthracene	104. Beta BHC
14. Cyanide	59. Benzidine	105. Delta BHC
15. Asbestos (not required unless requested)	60. Benzo (a) Anthracene	106. Gamma BHC
16. 2,3,7,8-Tetrachlorodibenzo-P-Dioxin (TCDD)	61. Benzo (a) Pyrene	107. Chlordane
Volatile Organics	62. Benzo (b) Fluoranthene	108. 4, 4' - DDT
17. Acrolein	63. Benzo (g,h,i) Perylene	109. 4, 4' - DDE
18. Acrylonitrile	64. Benzo (k) Fluoranthene	110. 4, 4' - DDD
19. Benzene	65. Bis (2-Chloroethoxy) Methane	111. Dieldrin
20. Bromoform	66. Bis (2-Chloroethyl) Ether	112. Alpha Endosulfan
21. Carbon Tetrachloride	67. Bis (2-Chloroisopropyl) Ether	113. Beta Endosulfan
22. Chlorobenzene	68. Bis (2-Ethylhexyl) Phthalate	114. Endosulfan Sulfate
23. Chlorodibromomethane	69. 4-Bromophenyl Phenyl Ether	115. Endrin
24. Chloroethane	70. Butylbenzyl Phthalate	116. Endrin Aldehyde
25. 2-Chloroethyl Vinyl Ether	71. 2-Chloronaphthalene	117. Heptachlor
26. Chloroform	72. 4-Chlorophenyl Phenyl Ether	118. Heptachlor Epoxide
27. Dichlorobromomethane	73. Chrysene	119. PCB 1016
28. 1,1-Dichloroethane	74. Dibenzo (a,h) Anthracene	120. PCB 1221
29. 1,2-Dichloroethane	75. 1,2-Dichlorobenzene	121. PCB 1232
30. 1,1-Dichloroethylene	76. 1,3-Dichlorobenzene	122. PCB 1242
31. 1,2-Dichloropropane	77. 1,4-Dichlorobenzene	123. PCB 1248
32. 1,3-Dichloropropylene	78. 3,3'-Dichlorobenzidine	124. PCB 1254
33. Ethylbenzene	79. Diethyl Phthalate	125. PCB 1260
34. Methyl Bromide	80. Dimethyl Phthalate	126. Toxaphene
35. Methyl Chloride	81. Di-n-Butyl Phthalate	Revised: 7/7/2000
36. Methylene Chloride	82. 2,4-Dinitrotoluene	
37. 1,1,2,2-Tetrachloroethane	83. 2-6-Dinitrotoluene	
38. Tetrachloroethylene	84. Di-n-Octyl Phthalate	
39. Toluene	85. 1,2-Dipenylhydrazine	
40. 1,2-Trans-Dichloroethylene	86. Fluoranthene	
41. 1,1,1-Trichloroethane	87. Fluorene	
42. 1,1,2-Trichloroethane	88. Hexachlorobenzene	
43. Trichloroethylene	89. Hexachlorobutadiene	
44. Vinyl Chloride	90. Hexachlorocyclopentadiene	

## STORMWATER MONITORING PROGRAM AND REPORTING REQUIREMENTS

### 1. Implementation Schedule

The discharger shall continue to implement their existing stormwater monitoring program. Any necessary revisions to the stormwater monitoring program shall be implemented in a timely manner and shall be in accordance with the following requirements. The discharger may use the monitoring results conducted in accordance with their existing stormwater monitoring program to satisfy the pollutant/parameter reduction requirements in Section 5.c., below, and Sampling and Analysis Exemptions and Reduction Certifications in Section 10, below.

### 2. Objectives

The objectives of the monitoring program are to:

- a. Ensure that storm water discharges are in compliance with waste discharge requirements specified in Order No. 01-2.
- b. Ensure practices at the facility to reduce or prevent pollutants in storm water discharges and authorized non-storm water discharges are evaluated and revised to meet changing conditions.
- c. Aid in the implementation and revision of the SWPPP required by Attachment "A" Stormwater Pollution Prevention Plan of Order No. 01-2.
- d. Measure the effectiveness of best management practices (BMPs) to prevent or reduce pollutants in storm water discharges and authorized non-storm water discharges. Much of the information necessary to develop the monitoring program, such as discharge locations, drainage areas, pollutant sources, etc., should be found in the Storm Water Pollution Prevention Plan (SWPPP). The facility's monitoring program shall be a written, site-specific document that shall be revised whenever appropriate and be readily available for review by employees or Regional Board inspectors.

### 3. Non-Storm Water Discharge Visual Observations

- a. The discharger shall visually observe all drainage areas within their facility for the presence of unauthorized non-storm water discharges;
- b. The discharger shall visually observe the facility's authorized non-storm water discharges and their sources;

- c. The visual observations required above shall occur quarterly, during daylight hours, on days with no storm water discharges, and during scheduled facility operating hours<sup>1</sup>. Quarterly visual observations shall be conducted in each of the following periods: January-March, April-June, July-September, and October-December. The discharger shall conduct quarterly visual observations within 6-18 weeks of each other.
- d. Visual observations shall document the presence of any discolorations, stains, odors, floating materials, etc., as well as the source of any discharge. Records shall be maintained of the visual observation dates, locations observed, observations, and response taken to eliminate unauthorized non-storm water discharges and to reduce or prevent pollutants from contacting non-storm water discharges. The SWPPP shall be revised, as necessary, and implemented in accordance with Attachment "A" Stormwater Pollution Prevention Plan of Order No. 01-2.

4. Storm Water Discharge Visual Observations

- a. With the exception of those facilities described in Section 4.d., below, the discharger shall visually observe storm water discharges from one storm event per month during the wet season (October 1-May 30). These visual observations shall occur during the first hour of discharge and at all discharge locations. Visual observations of stored or contained storm water shall occur at the time of release.
- b. Visual observations are only required of storm water discharges that occur during daylight hours that are preceded by at least three (3) working days<sup>2</sup> without storm water discharges and that occur during scheduled facility operating hours.
- c. Visual observations shall document the presence of any floating and suspended material, oil and grease, discolorations, turbidity, odor, and source of any pollutants. Records shall be maintained of observation dates, locations observed, observations, and response taken to reduce or prevent pollutants in storm water discharges. The SWPPP shall be revised, as necessary, and implemented in accordance with Attachment "A" Stormwater Pollution Prevention Plan of Order No. 01-2.
- d. The discharger with storm water containment facilities shall conduct monthly inspections of their containment areas to detect leaks and ensure maintenance of adequate freeboard. Records shall be maintained of the inspection dates, observations, and any response taken to eliminate leaks and to maintain adequate freeboard.

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<sup>1</sup> "Scheduled facility operating hours" are the time periods when the facility is staffed to conduct any function related to industrial activity, but excluding time periods where only routine maintenance, emergency response, security, and/or janitorial services are performed.

<sup>2</sup> Three (3) working days may be separated by non-working days such as weekends and holidays provided that no storm water discharges occur during the three (3) working days and the non-working days.

5. Sampling and Analysis

- a. The discharger shall collect storm water samples during the first hour of discharge from (1) the first storm event of the wet season, and (2) at least one other storm event in the wet season. All storm water discharge locations shall be sampled. Sampling of stored or contained storm water shall occur at the time the stored or contained storm water is released. The discharger that does not collect samples from the first storm event of the wet season are still required to collect samples from two other storm events of the wet season and shall explain in the "Annual Stormwater Report" (see Section 12, below) why the first storm event was not sampled.
- b. Sample collection is only required of storm water discharges that occur during scheduled facility operating hours and that are preceded by at least (3) three working days without storm water discharge.
- c. The samples shall be analyzed for:
  - (1) Total suspended solids (TSS), pH, specific conductance, and total organic carbon (TOC). Oil and grease (O&G) may be substituted for TOC;
  - (2) Toxic chemicals and other pollutants that are likely to be present in storm water discharges in significant quantities. If these pollutants are not detected in significant quantities after two consecutive sampling events, the discharger may eliminate the pollutant from future sample analysis until the pollutant is likely to be present again;
  - (3) The discharger is not required to analyze a parameter when either of the two following conditions are met: (a) the parameter has not been detected in significant quantities from the last two consecutive sampling events, or (b) the parameter is not likely to be present in storm water discharges and authorized non-storm water discharges in significant quantities based upon the discharger's evaluation of the facilities industrial activities, potential pollutant sources, and SWPPP; and
  - (4) Other parameters as required by the Regional Board.

6. Sample Storm Water Discharge Locations

- a. The discharger shall visually observe and collect samples of storm water discharges from all drainage areas that represent the quality and quantity of the facility's storm water discharges from the storm event.
- b. If the facility's storm water discharges are commingled with run-on from surrounding areas, the discharger should identify other visual observation and sample collection locations that have not been commingled by run-on and that represent the quality and quantity of the facility's storm water discharges from the storm event.

- c. If visual observation and sample collection locations are difficult to observe or sample (e.g., sheet flow, submerged outfalls), the discharger shall identify and collect samples from other locations that represent the quality and quantity of the facility's storm water discharges from the storm event.
- d. The discharger that determines that the industrial activities and BMPs within two or more drainage areas are substantially identical may either (1) collect samples from a reduced number of substantially identical drainage areas, or (2) collect samples from each substantially identical drainage area and analyze a combined sample from each substantially identical drainage area. The discharger must document such a determination in the annual stormwater report.

7. Visual Observation and Sample Collection Exceptions

The discharger is required to be prepared to collect samples and conduct visual observations at the beginning of the wet season (October 1) and throughout the wet season until the minimum requirements of Sections 4. and 5., above, are completed with the following exceptions:

- a. The discharger is not required to collect a sample and conduct visual observations in accordance with Section 4 and Section 5, above, due to dangerous weather conditions, such as flooding, electrical storm, etc., when storm water discharges begin after scheduled facility operating hours or when storm water discharges are not preceded by three working days without discharge. Visual observations are only required during daylight hours. The discharger that does not collect the required samples or visual observations during a wet season due to these exceptions shall include an explanation in the "Annual Stormwater Report" why the sampling or visual observations could not be conducted.
- b. The discharger may conduct visual observations and sample collection more than one hour after discharge begins if the discharger determines that the objectives of this section will be better satisfied. The discharger shall include an explanation in the "Annual Stormwater Report" why the visual observations and sample collection should be conducted after the first hour of discharge.

8. Alternative Monitoring Procedures

The discharger may propose an alternative monitoring program that meets Section 2, above, monitoring program objectives for approval by the Regional Board's Executive Officer. The discharger shall continue to comply with the monitoring requirements of this section and may not implement an alternative monitoring plan until the alternative monitoring plan is approved by the Regional Board's Executive Officer. Alternative monitoring plans are subject to modification by the Regional Board's Executive Officer.

9. Monitoring Methods

- a. The discharger shall explain how the facility's monitoring program will satisfy the monitoring program objectives of Section 2., above. This shall include:

- (1) Rationale and description of the visual observation methods, location, and frequency;
  - (2) Rationale and description of the sampling methods, location, and frequency; and
  - (3) Identification of the analytical methods and corresponding method detection limits used to detect pollutants in storm water discharges. This shall include justification that the method detection limits are adequate to satisfy the objectives of the monitoring program.
- b. All sampling and sample preservation shall be in accordance with the current edition of "Standard Methods for the Examination of Water and Wastewater" (American Public Health Association). All monitoring instruments and equipment (including the discharger's own field instruments for measuring pH and Electro-conductivity) shall be calibrated and maintained in accordance with manufacturers' specifications to ensure accurate measurements. All laboratory analyses must be conducted according to test procedures under 40 CFR Part 136, unless other test procedures have been specified in Order No. 01-2 or by the Regional Board's Executive Officer. All metals shall be reported as total recoverable metals or unless otherwise specified in Order No. 01-2. With the exception of analysis conducted by the discharger, all laboratory analyses shall be conducted at a laboratory certified for such analyses by the State Department of Health Services. The discharger may conduct their own sample analyses if the discharger has sufficient capability (qualified employees, laboratory equipment, etc.) to adequately perform the test procedures.

10. *Sampling and Analysis Exemptions and Reductions*

A discharger who qualifies for sampling and analysis exemptions, as described below in Section 10.a.(1) or who qualifies for reduced sampling and analysis, as described below in Section 10.b., must submit the appropriate certifications and required documentation to the Regional Board prior to the wet season (October 1) and recertify as part of the annual stormwater report submittal. A discharger that qualifies for either the Regional Board or local agency certification programs, as described below in Section 10.a.(2) and (3), shall submit certification and documentation in accordance with the requirements of those programs. The discharger who provides certification(s) in accordance with this section are still required to comply with all other monitoring program and reporting requirements. The discharger shall prepare and submit their certification(s) using forms and instructions provided by the State Water Board, Regional Board, or local agency or shall submit their information on a form that contains equivalent information. The discharger whose facility no longer meets the certification conditions must notify the Regional Board's Executive Officer (and local agency) within 30 days and immediately comply with Section 5., Sampling and Analysis requirements. Should a Regional Board (or local agency) determine that a certification does not meet the conditions set forth below, the discharger must immediately comply with Section 5., Sampling and Analysis requirements.

a. Sampling and Analysis Exemptions

A discharger is not required to collect and analyze samples in accordance with Section 5., above, if the discharger meets all of the conditions of one of the following certification programs:

(1) No Exposure Certification (NEC)

This exemption is designed primarily for those facilities where all industrial activities are conducted inside buildings and where all materials stored and handled are not exposed to storm water. To qualify for this exemption, the discharger must certify that their facilities meet all of the following conditions:

- (a) All prohibited non-storm water discharges have been eliminated or otherwise permitted.
- (b) All authorized non-storm water discharges have been identified and addressed in the SWPPP.
- (c) All areas of past exposure have been inspected and cleaned, as appropriate.
- (d) All significant materials related to industrial activity (including waste materials) are not exposed to storm water or authorized non-storm water discharges.
- (e) All industrial activities and industrial equipment are not exposed to storm water or authorized non-storm water discharges.
- (f) There is no exposure of storm water to significant materials associated with industrial activity through other direct or indirect pathways such as from industrial activities that generate dust and particulates.
- (g) There is periodic re-evaluation of the facility to ensure conditions (a), (b), (d), (e), and (f) above are continuously met. At a minimum, re-evaluation shall be conducted once a year.

(2) Regional Board Certification Programs

The Regional Board may grant an exemption to the Section 5. Sampling and Analysis requirements if it determines a discharger has met the conditions set forth in a Regional Board certification program. Regional Board certification programs may include conditions to (a) exempt the discharger whose facilities infrequently discharge storm water to waters of the United States, and (b) exempt the discharger that demonstrate compliance with the terms and conditions of Order No. 01-2.

(3) Local Agency Certifications

A local agency may develop a local agency certification program. Such programs must be approved by the Regional Board. An approved local agency program may either grant an exemption from Section 5. Sampling and Analysis requirements or reduce the frequency of sampling if it determines that a discharger has demonstrated compliance with the terms and conditions of the Industrial Activities Storm Water General Permit Order No. 97-03-DWQ which was adopted by the State Water Resources Control Board on April 17, 1997.

b. Sampling and Analysis Reduction

- (1) A discharger may reduce the number of sampling events required to be sampled for the remaining term of Order No. 01-2 if the discharger provides certification that the following conditions have been met:
  - (a) The discharger has collected and analyzed samples from a minimum of six storm events from all required drainage areas;
  - (b) All prohibited non-storm water discharges have been eliminated or otherwise permitted;
  - (c) The discharger demonstrates compliance with the terms and conditions of Order No. 01-2 for the previous two years (i.e., completed Annual Stormwater Reports, performed visual observations, implemented appropriate BMPs, etc.);
  - (d) The discharger demonstrates that the facility's storm water discharges and authorized non-storm water discharges do not contain significant quantities of pollutants; and
  - (e) Conditions (b), (c), and (d) above are expected to remain in effect for a minimum of one year after filing the certification.
- (2) Unless otherwise instructed by the Regional Board, the discharger shall collect and analyze samples from two additional storm events during the remaining term of Order No. 01-2 in accordance with Table A, below. The discharger shall collect samples of the first storm event of the wet season. The discharger that does not collect samples from the first storm event of the wet season shall collect samples from another storm event during the same wet season. The discharger that does not collect a sample in a required wet season shall collect the sample from another storm event in the next wet season. The discharger shall explain in the "Annual Stormwater Report" why the first storm event of a wet season was not sampled or a sample was not taken from any storm event in accordance with the Table A schedule, below.



Table A REDUCED MONITORING SAMPLING SCHEDULE		
Discharger Filing Sampling Reduction Certification By	Samples Shall be Collected and Analyzed in these wet seasons	
	Sample 1	Sample 2
Sept. 1, 1998	Oct. 1, 1998-May 31, 1999	Oct. 1, 2000-May 31, 2001
Sept. 1, 1999	Oct. 1, 1999-May 31, 2000	Oct. 1, 2001-May 31, 2002
Sept. 1, 2000	Oct. 1, 2000-May 31, 2001	Oct. 1, 2002-May 31, 2003
Sept. 1, 2001	Oct. 1, 2001-May 31, 2002	Oct. 1, 2003-May 31, 2004

## 11. Records

Records of all storm water monitoring information and copies of all reports (including the Annual Stormwater Reports) required by Order No. 01-2 shall be retained for a period of at least five years. These records shall include:

- a. The date, place, and time of site inspections, sampling, visual observations, and/or measurements;
- b. The individual(s) who performed the site inspections, sampling, visual observations, and or measurements;
- c. Flow measurements or estimates;
- d. The date and approximate time of analyses;
- e. The individual(s) who performed the analyses;
- f. Analytical results, method detection limits, and the analytical techniques or methods used;
- g. Quality assurance/quality control records and results;
- h. Non-storm water discharge inspections and visual observations and storm water discharge visual observation records (see Sections 3. and 4., above);
- i. Visual observation and sample collection exception records (see Section 5.a, 6.d, 7, and 10.b.(2), above);
- j. All calibration and maintenance records of on-site instruments used;

**Attachment "D"**

*Stormwater Monitoring Program*

- k. All Sampling and Analysis Exemption and Reduction certifications and supporting documentation (see Section 10);
- l. The records of any corrective actions and follow-up activities that resulted from the visual observations.

*12. Annual Report*

The discharger shall submit an Annual Stormwater Report by July 1 of each year to the Executive Officer of the Regional Board and to the local agency (if requested). The report shall include a summary of visual observations and sampling results, an evaluation of the visual observation and sampling and analysis results, laboratory reports, the Annual Comprehensive Site Compliance Evaluation Report required in Section 9. of Attachment "A" of Order No. 01-2, an explanation of why a facility did not implement any activities required by Order No. 01-2 (if not already included in the Evaluation Report), and records specified in Section 11., above. The Annual Stormwater Report shall be signed and certified in accordance with Section A.18. "Monitoring and Reporting Requirements" of Monitoring and Reporting Program No. 01-2. The discharger shall prepare and submit their Annual Stormwater Reports using the annual report forms provided by the State Water Board or Regional Board or shall submit their information on a form that contains equivalent information.

*13. Watershed Monitoring Option*

Regional Boards may approve proposals to substitute watershed monitoring for some or all of the requirements of this section if the Regional Board finds that the watershed monitoring will provide substantially similar monitoring information in evaluating discharger compliance with the requirements of Order No. 01-2.